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THE LOUISIANA HISTORICAL QUARTERLY

Vol. 26, No. 3

JULY, 1943

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Stanley Faye.

Colonial Forts of Louisiana, by H. Mortimer Favrot.

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Prichard.

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THE ARKANSAS POST OF LOUISIANA: FRENCH DOMINATION

By STANLEY FAYE

CHAPTER I. THE FIRST INSOLVENCY

Late in July, 1687, six Frenchmen led by four Indian guides urged five Spanish pack horses through the forests and across the prairies of Arkansas. Accompanied by the sieur de la Salle the six had set out from La Salle's seaborne colony in Texas toward his Canadian headquarters, Fort St. Louis on Illinois River, where Henry de Tonti commanded. La Salle found death awaiting him at the side of the way. The survivors wandered past the great bend of Red River. Led by Indian traders they crossed the other river that some time was to bear the name borne by one of themselves, Bartholomew. Well beyond, they happened into fields cultivated by Indians of a Quapaw tribe. With many guides now they penetrated a cypress brake and came out upon the right bank of Arkansas River. On the farther or northern bank the sight of a great cross comforted them, for after passage through wildernesses they had reached the home of white men, the Arkansas Post of Louisiana.

Six miles by air or eight miles by road southeast of the village now called Arkansas Post, within a clearing in the river-side woods may be seen the little rise of ground where Jean Couture, Jacques Cardinal (called Launay) and four other French traders sent from Fort St. Louis had planted their cross in the year just past. Within nearly three centuries of years that since are past, Arkansas River has withdrawn, returned, withdrawn itself again from that north bend in the bight of which refugees from Texas ended one stage of their journey. Withdrawal is

toward the south, into the alluvial plain of the river, and never to the north, for the narrow platform or knoll, perhaps 300 yards in length, on which Couture and Cardinal chose to set Tonti's Arkansas Post crowns the head of a peninsula extending from the northern upland. Above the level of the distant Gulf of Mexico it rises 175 feet and therefore ten feet and more above the crest of the highest floods that the Arkansas Post of France ever saw rolling down from the northwest or swelling up from the Mississippi.¹

At the west, out of slightly lower ground, stood a mound such as those built ages ago by Indians who practiced political or religious ceremonials unknown to the informal Arkansas tribes.² From a point fifty yards toward the east, beyond a slight depression, another ridge of the upland stretched eastward above and along the cut bank or bluff of the river to include the point more than a half mile distant where Tonti reserved 130 yards of frontage for a mission.³ On the bluff between the cross and this latter point the village of the Quapaw Uzutuihi tribe clustered under curving roofs.

Saplings planted firmly into earth in two parallel lines perhaps thirty feet or more in length and twenty feet apart were bent inward at the top to form such an arbor as that beneath which the burgher of France likes to sit of an evening in his own

¹ Description of Tonti's post is based on topographical detail drawn from many sources and on Henri Joutel's memoir in Pierre Margry, ed., *Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale, 1614-1754* (6 v.; Paris, 1876-1886), III, 433-451, with reference also to transcript of the manuscript *Remarques de Joutel sur l'ouvrage de Tonty relatif à la Louisiane*, autograph document, unsigned, year 1703, 24 sheets, 48 pages, Service Hydrographique (Paris), Archives, 115-9, No. 12, folio 7v. The *Remarques* form a book-review not of the second edition (Paris, 1697) but of the first edition (Paris, January, 1697) of the *Dernières Découvertes* attributed to Tonti but based on manuscript letters of Tonti and on the manuscripts of two imaginative texts. One of these latter at least was not yet known to Joutel but is now published in translation: Jean De-langlez, ed., *The Journal of Jean Cavalier* (Chicago, 1938); the other, attributed to Father Douay, had been published in 1697. January, 1697, as publication date of the *Dernières Découvertes*, first edition, is taken from Joutel's own title of his manuscript *Remarques*.

The site identified is in Arkansas County, Survey 2351, Section 20, T8S, R2W, 33°58'55" north, 91°15'22" west of Greenwich. Heights of land and relative positions are taken from the series of contour maps, *Alluvial Valley of the Mississippi River* (Mississippi River Commission, Vicksburg), Red Fork quadrangle; see also Gillette, Big Island and Henrico quadrangles. Only this point, on the upland, conforms to the topography of Tonti-1689 in *Mid-America*, XXI (1939), 236-237, and to the emphasized topography of Joutel as cited.

Of texts cited and to be cited as from French archives some have been consulted in the form of hand-written transcripts owned by the Library of Congress; others, in the form of archive manuscript in photocopies owned by the Illinois Historical Survey, Urbana, Ill.

² The relation, if any, of the Quapaw to various mound types is not yet determined by archaeologists. For mounds near this site see Thomas Nuttall, *Journal of Travels into the Arkansas Territory during the Year 1819* (Philadelphia, 1821), 69; *Arkansas Historical Publications*, IV (1917), 445-447. Position of one mound is shown in *Alluvial Valley*, Red Fork quadrangle, and perhaps suggested in *Mississippi River Levee and River Charts, 1937*, Cairo, Illinois, to Rosedale, Mississippi, including Arkansas River, Mouth to Pine Bluff, Arkansas (Memphis Engineer District, Memphis, and Mississippi River Commission, Vicksburg, July, 1939), Chart 109.

³ *Mid-America*, XXI (1939), 236-237 (Tonti-1689); *Alluvial Valley*, Red Fork and Big Island quadrangles.

back yard. Cypress trees called white cedar, such as those that would yield bark for wigwams and white men's houses from Pensacola and New Orleans to Vincennes above the Ohio, yielded coverings for the Arkansas. Flattened slabs of bark leaned out of the vertical against the studding of each lodge; others, like great tiles, formed the roofs. Except that the tribes of the Illinois used woven mats instead of bark, except that tribes farther northward used birch or basswood bark instead of cypress, the lodges of the Arkansas differed not at all from many that the refugees from Texas might see on their journey toward and at the Straits of Mackinac. As in Tonti's Illinois Country, a family of grandparents, married children and grandchildren occupied each long lodge, each group with its own kitchen fire burning in the aisle between sleeping spaces curtained with dressed and painted buffalo hides.⁴

From behind the cross, from atop the knoll between prehistoric mound and Quapaw village, from within the doorway of the cabin that was Tonti's Arkansas Post, only Couture and Cardinal advanced to welcome the refugees. All others of Tonti's men had gone back to Fort St. Louis on the Illinois, seeking supplies to replenish their depleted stores.⁵ Sides and ends of this Arkansas cabin were of horizontal "cedar" logs joined at the corners in the usual swallow-tail notches. Bark covered its roof; one refugee from Texas thought the roof to be not bad. No need existed for a large building. This only building of the post was a storehouse for trade goods and furs rather than a barracks for traders.⁶

The sieur de la Salle, chief of all traders in the Mississippi Valley, had assumed possession of that valley under a royal com-

⁴ Margry, *op. cit.*, I, 599 (Tonti-1684), III, 442 (Joutel, memoir); Joutel, *Remarques*, 16; St. Cosme, in Louise Phelps Kellogg, ed., *Early Narratives of the Northwest, 1634-1699* (New York, 1917), 360. The mention by Tonti suggests the common red cypress rather than "white cedar." Joutel, *Remarques*, tells of painted curtains. Description is added of standard roof construction and occupancy.

⁵ Joutel, *Remarques*, 7v. 20. Tonti took with him to the Iroquois wars all men available that summer.

⁶ Joutel's Norman expressions, and especially the swallow-tailing, puzzled Joutel's contemporary "Parisian French" editor; cf. Abbé Michel, ed., *Journal Historique du Dernier Voyage que feu M. de la Salle fit dans le Golfe de Mexique . . . par Monsieur Joutel* (Paris, 1713), 304-305. The stockade with which modern writers have accredited the Arkansas cabin does not find place in the source documents. Tonti twice expressed his intention of building a stockade, first in an undated text, in Theodore Calvin Pease and Raymond C. Werner, eds., *The French Foundations, 1680-1693* (Springfield, Ill., 1934), 396, and second in his relation so-called of 1693 but written in the winter of 1689-1690: Pierre Margry, ed., *Relations et Mémoires Inédits* (Paris, 1867), 24, mistranslated in Kellogg, *op. cit.*, 308. The French text asserts only intention and only in a passage concerning a matter the truth of which Joutel denied circumstantially; see below, note 7. The page of the *Dernières Découvertes* to which Joutel refers does not mention a stockade. With the equivocal possibilities of Tonti's idiomatic expression of 1689, *maison et fort*, in *Mid-America*, *loc. cit.*, cf. the equivocal precedent of La Salle under letters patent, in Margry, *Découvertes*, I, 337-338, II, 317.

mission. To Tonti in 1682 he had granted the lower Arkansas River as a seigniory. Tonti sent men there in 1686 as feudal tenants and traders to whose profit it would be to expand the commerce of Fort St. Louis.⁷ Profit in peltry awaited the white men's coming, for the Arkansas produced beaver, through scantily and of a quality inferior to pelts from the cold north, and was to continue such production until long after hunters should have depleted the resources of the Illinois Country. Even without going afield and into the Mento (Wichita) and Coroa villages to the southward or into less friendly villages east of the Mississippi the traders of Arkansas Post might busy themselves if they could persuade the Quapaw to hunt and if they could find trade goods to pay for Quapaw peltries.

Fourteen hundred or more men of military age and a total population of perhaps 6,000 persons constituted the four Quapaw villages in 1682, the year of Tonti's first visit to the river mouth.⁸ With the coming of white men came disease. Smallpox lingered perhaps still sixteen years distant from the Great Lakes,⁹ but respiratory infections, whether severe or mild among Europeans, became fatally epidemic among Indians. In 1687 the historian of the Texas refugees could estimate the number of Quapaw warriors at no more than 700.¹⁰ A dozen years later smallpox had struck the Quapaw, of whose warriors not more than 300 survived among a total population decreased in proportion.¹¹ In 1700 a fatal epidemic overran at least one village of the Mississippi left bank.¹²

A more insidious disease attacked Tonti's business even before the year 1684, when Tonti and François Daupin, sieur de la Forest, created a partnership with a capital of 20,000 livres (francs). It was the plan and practice of La Salle, Tonti and others of their trade to carry goods from Montreal into the western wilderness and there, at trading posts or in Indian villages, to barter with the Indians for furs. Opposed in plan and practice to the western adventurers were the merchants of lower Canada, La Chesnaye, Charles Le Moyne and his several sons,

⁷ "On page 225 he says that the Frenchmen had asked permission of him to go settle at the Arkansas, but on his assertion [i. e., to Joutel] it was rather he indeed who gave them orders to build a house in what monsieur de la Salle had given him, a part of the aforesaid river, in [the time of] his exploration:" Joutel, *Remarques*, 7v.

⁸ *Mid-America*, XXI (1939), 229 (Tonti-1700); cf. *ibid.*, 229n (Montigny-1699).

⁹ Cf. Emile Salone, "Les Sauvages du Canada et les Maladies Importées de France au XVII^e et au XVIII^e Siècle," in *Journal de la Société des Américanistes de Paris*, new series, IV (1907), 7-20.

¹⁰ Margry, *Découvertes*, III, 462 (Joutel).

¹¹ *Mid-America*, XXI (1939), 229, 229n; cf. Kellogg, *op. cit.*, 359 (St. Cosme-1698.)

¹² Ruth Lapham Butler, ed., *Journal of Paul du Ru* (Caxton Club, Chicago, 1934), 26.

Louis Joliet, the former explorer, and many others in agreement with successive intendants. This party of interest wished to confine all Indian trade to Montreal and to the yearly fair whither the Indians of Ottawa River and Lake Superior brought their furs. One argument toward this end the merchants could use with powerful effect upon the king of France: Colonists whom Canada permitted to adventure in western forests were likely to remain there, become savages little less than the Indians, corrupt the red man by such degradation of white man's dignity, even transfer trade and allegiance to the British of New York. In any case deserters were lost to the eastern settlements, where the king had never succeeded in establishing enough colonists to assure colonial stability.

Fortune led Henry de Tonti to enter business on the Illinois and Arkansas Rivers just at the time when King Louis XIV was beginning to relinquish experiments in western exploration and forest trade and to give his favor to the merchants of Montreal.¹³ At this time also an Iroquois war broke out. At home again in the Illinois Country, after his Mississippi journey in the spring of 1686, Tonti learned that the Iroquois had begun their campaign by raiding the lands about the foot of Lake Michigan.¹⁴ Nevertheless he weakened his military strength by ordering six unwilling men to establish a post on the Arkansas.

Tonti in 1686 had little ammunition to spare and few trade goods for stocking his Arkansas storehouse. Nearly all of Couture's merchandise was expended before the time when he and Cardinal welcomed visitors from Texas. "[They] had almost as much need of our help as we had of theirs," wrote the historian of the Texas expedition, "since they had neither powder nor shot nor anything else, or at least in very small quantity, . . . if we were glad to find them they shared the gladness, since we left them the wherewithal to maintain themselves for a time. We left them quite twelve or fifteen pounds of powder and eight or nine hundred shot, with linen, axes and knives and other miscellaney, five horses and one of our men." On their departure the visitors carried with them and to Tonti's Fort St. Louis the few beaver furs that Couture and Cardinal had recently bought from Quapaw hunters.¹⁵

¹³ Cf. the King to La Barre, April 10, 1684, in Pease and Werner, *op. cit.*, 47-48.

¹⁴ Cf. Nicolas Perrot, in Claude Charles Le Roy Bacqueville de la Poth rie, ed., *Voyage de l'Am rique* (4 v.: Amsterdam, 1723), II, 180, 185-186, 190-192.

¹⁵ Joutel, *Remarques*, 8, 16; cf. 20.

Luck for a moment resided within the destiny of Tonti's Arkansas Post, but prosperity never did. War in the north beginning in 1686 continued during more than a dozen years. No trade canoes ascended from the Illinois to join in Lake Huron those few that, under convoy, carried cargoes for Montreal in 1687. After the spring of 1688 the Iroquois closed the trade route until 1690, when 110 canoes from Lakes Michigan and Superior bore fur cargoes eastward from the Straits of Mackinac. During three years more the route again remained closed.¹⁶ Thus in its first six years of existence the Arkansas Post could dispose of its products only in three winters. In only two of the six years could its store of trade goods be renewed. Even as late as 1698 French kettles had not supplanted native earthenware pots among the Quapaw.¹⁷

A complaint not previously voiced against products of the Illinois Country became asserted against Tonti's shipments when at last the beaver of the Arkansas could move to Montreal. The Quapaw tribes, preferring otter skins to beaver for their own use as robes, never had hunted beaver for trade until Couture and Cardinal promised them French goods in exchange. Now in their inexperience the Quapaw prepared beaver pelts for market in slovenly fashion.¹⁸ Many of the furs continuing northward and eastward from Fort St. Louis in 1695 were so poorly cured that the intendant in Quebec decreed they should be salable only at a reduced price, which left no margin of profit. Circumstances condemning the Arkansas Post to insolvency even at its beginning thus showed themselves to be not changed for the better.¹⁹

The Jesuit missionary at Tonti's Fort St. Louis reported "disorders and abominations," which were those of most French forest posts in early times: sale of forbidden brandy, barter in the villages with Indians befuddled by alcohol, immorality at the posts, and gambling²⁰ even by officers who did not always pay their gambling debts. Some, at least, of these disorders may have

¹⁶ Justin Winsor, *Cartier to Frontenac* (Boston, 1894), 351, 355.

¹⁷ Kellogg, *op. cit.*, 360 (St. Cosme).

¹⁸ Joutel, *Remarques*, 16.

¹⁹ Champigny to the minister, Nov. 6, 1695, translated in Edmund Robert Murphy, *Henry de Tonty, Fur Trader of the Mississippi* (Baltimore, 1941), from Margry, *op. cit.*, V, 65-66. The intendant does not mention the origin of the Illinois second grade pelts; inference remains that they came from the Arkansas. Two slightly differing grades of beaver had earlier been recognized at Fort St. Louis; cf. Pease and Werner, *op. cit.*, 63.

²⁰ Father Carheil, in Francis Parkman, *The Old Régime in Canada* (Boston, 1880), 429-430. Joutel, *Remarques*, 9, complains that Tonti in the winter of 1687-1688 won part of the salary just paid on La Salle's account to Boisrondet, La Salle's financial agent at Fort St. Louis, Pierre de Liette later gained an unenviable reputation at cards.

existed in the Arkansas. Antoine de la Mothe Cadillac, commandant of the "disorderly" post on the Straits of Mackinac, involved Tonti more deeply with the Jesuits by arresting, in Tonti's absence, the missionary of Chicago, where Tonti's young cousin Lieutenant Pierre de Liette was the officer in charge. In these same years the English of New York, Virginia and Carolina, friends of the Iroquois, were sending traders to invade the French lands of the west, up the Great Lakes or down the Ohio or across the mountain passes into the region east of the Arkansas. In the year 1699 an English trader for the first time made an appearance at the Kappa village on the Mississippi.²¹

Tonti saw his business and his resources declining through the years and threatened more and more with British competition. Many of his men were mutinous. Some of them deserted him. Jean Couture, his agent at Arkansas Post, went over to the English of Carolina, but Jacques Cardinal remained faithful. In 1693, when the canoe route opened again to Montreal, Tonti's partner La Forest sold half of his half interest in the Illinois Country to the Illinois interpreter, Michel Accaux. Yet late in the year the three proprietors of the Illinois owed 7,000 livres to La Forest's brother-in-law, Charles Juchereau de St. Denis, on account current and 700 livres to the estate of the latter's father-in-law on an old account. Tonti himself owed 9300 livres to La Forest.²² Tonti disposed of half of his own half interest, and soon he was poorer than ever.

To regulate the beaver trade the king of France decreed in 1796 that purchases of the only profitable fur should cease in forest posts. Tonti remained in business by means of unlawful purchases.²³ In the spring of 1698 the king ordered Canada's governor to put his decree fully into effect and to withdraw all authorized Frenchmen from the Illinois Country, and therefore from the Arkansas, if Tonti could not maintain Fort St. Louis except by trade in forbidden beaver.²⁴ In October Pierre Le Moyne d'Iberville, third son of the Canadian merchant, sailed from France to discover the Mississippi mouth. In December Tonti with his trade canoes arrived at the mouth of Arkansas River, paying there perhaps his first visit in eight years.²⁵

²¹ Reuben Gold Thwaites, ed., *Jesuit Relations* (74 v.; Cleveland, 1900), LXV, 116-117 (Gravier-1700).

²² Pease and Werner, *op. cit.*, 264-267, 285-287.

²³ Champigny to the minister, Oct. 13, 1697, in *Michigan Pioneer and Historical Collections*, XXXIII, 72-77.

²⁴ *Report on Canadian Archives* (28 v.; Ottawa, 1872-1906), for 1899, supplement, 331.

²⁵ Kellogg, *op. cit.*, 360 (St. Cosme). This text may be read to suggest that Tonti waited at the Kappa village.

Nine years earlier Tonti had asked the Jesuit order, and asked in vain, to send a priest to his Arkansas Post.²⁶ Instead of to the Jesuit missionaries, too few in number even for the more northerly posts, the bishop of Quebec in 1698 assigned the Mississippi Valley to the care of three secular priests, whom Tonti escorted to the Arkansas. Of the four Quapaw tribes only two lived in the same village; the other villages were six and ten leagues distant in different directions. The villagers begged the missionaries to remain. Father Montigny, superior of this Mississippi mission, thought it suitable to establish his workers among other nations, but he himself promised to return if the Quapaw would gather themselves into one community in the spring of 1700.²⁷

At his own chosen station in the Tensas village news came to the superior in late spring of 1699 that Le Moyne d'Iberville had founded at Biloxi Bay the first headquarters post of the new Louisiana. Accompanied by Indians, by Father Davion of the Yazoo, by Jacques Cardinal of the Arkansas and by ten of the lawless white wanderers, Father Montigny visited Biloxi Bay and on July 10 started back to the Mississippi bearing a letter that Iberville's brother, commandant at Biloxi, was sending by way of the Illinois Country.²⁸ News that Iberville had sent previously to Canada by sea was repeated to Tonti first at the Straits of Mackinac. Tonti knew therefore that La Salle's plan of opening the Mississippi to French trade was to be carried out. He started on a 2,000 mile canoe voyage to gain what advantage he might from the south.

The plan had been originally La Salle's own under commissions of 1678 and 1684. A subsequent royal grant of 1690 accorded to Tonti and La Forest some of La Salle's rights, which, Tonti might argue, assured him a monopoly of trade in buffalo hides in the Mississippi Valley.²⁹ The value attaching to leather was too small to warrant transport of hides by birchbark canoe to Montreal, but transport by barge or flatboat down the Mississippi would be comparatively cheap. Arkansas River, and the buffalo prairies on its upper courses, held therefore a promise of future profit if a port should be established at or near the

²⁶ *Mid-America*, XXI (1939), 236-237 (Tonti-1689).

²⁷ John Dawson Gilmary Shea, ed., *Relation de la Mission du Missisipi du Seminaire de Quebec en 1700* (New York, 1861), 47 (Montigny.)

²⁸ Margry, *op. cit.*, IV, 447-462 (459).

²⁹ Cf. Pease and Werner, *op. cit.*, 228-234; Margry, *op. cit.*, I, 337-338.

Mississippi mouth. Three times since the death of La Salle, Tonti had urged upon the French government the opening of the river to commerce. Most recently he had recommended the Arkansas for shipbuilding and had emphasized the importance of a post on the lower Mississippi to threaten Spanish México, to guard against British Carolina, to foster the mining of lead and to create a trade in hides.³⁰

Mindful now of profit that the Arkansas might yield him at last, Tonti returned from the Straits to his fort on Illinois River. Mindful of Canadian objections to far wanderings by woodsmen, Tonti appears to have chosen Illinois Indians to make up much of the expedition with which he set off down the Mississippi. Near the mouth of Kaskaskia River twenty wild woodsmen learned the reason for his journey and prepared to follow him³¹ without permission.

Thirty-five miles or more below the mouth of St. Francis River Tonti came to the spot on the left bank where Louis Joliet and Father Marquette, La Salle's only French predecessors in exploration, had ended their river journey of 1673 at a Quapaw village and had turned their canoes again northward. Desolation occupied the site that the Quapaw once had occupied one long English mile to the southward and therefore one long mile down Hushpuckena River, a bayou that led to the Sunflower and thus to the Yazoo. Nothing persisted at the village site except surrounding walls, whether embankments of lodges or a levee that once had made the circuit of the village.³²

A dozen miles farther down the Mississippi a tall cross atop the 40-foot bluff of the right bank marked for Tonti the inhabited

³⁰ Pease and Werner, *op. cit.*, 139, 279-282; Margry, *op. cit.*, IV, 105.

³¹ *Mid-America*, XXI (1939), 223 (Tonti-1700); cf. Margry, *Relations et Mémoires Inédits*, 4.

³² Thwaites, *Jesuit Relations*, LXV, 116-117 (Gravier-1700); *ibid.*, LIX, 108, map of Marquette, 1673-1674; Kellogg, *op. cit.*, 358 (St. Cosme-1698); François Saucier, draftsman, *Carte Particulière d'une partie de la Louisiane ou les fleuve & Rivière ont esté relevés à l'estime & les Routes par terre relevées & mesurées au pas par les Sr. Broutin, de Vergès Ingenieurs & Saucier dessinateur . . . A la Nouvelle Orleans ce 27 Juin 1740*, Service Hydrographique, Bibliothèque, C-4040, Cours deau, 73 by 84 cm., signed by Saucier, Broutin and Devergès, Karpinski collection photocopy, reduced size, in Illinois Historical Survey, another in Ayer Collection, Newberry Library, Chicago; *Maps of the Mississippi River, Cairo, Illinois, to the Gulf of Mexico, Louisiana* (Mississippi River Commission, Vicksburg, January, 1941), Map 17. Assuming Saucier's location of the landing to be correct for the contemporary bend throughout its existence, the site indicated is near the point where an abandoned levee crosses a former head of modern Hushpuckena Creek (not the present day Hushpuckena River) near the line separating Sections 17 and 18, two miles west of the railway station of Sherard, Coahoma County, Miss., at about 34°8' N., 90°45' W. If the maps of Lieutenants Philip Pittman and John Ross were correctly drawn, a quarter century later than Saucier's map, the site is north of Sherard; this seems highly improbable. See folding map in Philip Pittman, *The Present State of the European Settlements on the Mississippi* (London, 1770); Ross's map (edited), in *The American Atlas* (London, 1778), Map 26. For these two officers in the Illinois Country and the origin of Pittman's map, see Clarence Walworth Alvord and Clarence Edwin Carter, eds., *The New Régime, 1765-1767* (Springfield, 1916), index.

Kappa village³³ and recalled Father Montigny's promise to return in the spring. The current carried Tonti next through the shallow left bend that in later years would bulge southward and would bear the name of Concordia until a cutoff should destroy that bend and steal its name. A cutoff already had begun destroying the next lower right bend, into which White River flowed, but the tributary's current kept open the lower part of the bend. Thus the Mississippi continued to seem as if divided into two channels by the long island today known as Big Island. The westerly channel, in places half a mile wide then³⁴ though today only a shallow bayou, pointed cut the route to the remnants of three Quapaw villages.

On the northern or right bank, where Tonti and the western channel turned southward past White River's mouth to coast along Big Island, there had stood two decades earlier the smallest of the four Quapaw villages, called Tonginga, or Little.³⁵ Eight leagues up the Mississippi the Kappa village, greatly reduced by smallpox, had just seen Tonti's passing in 1700 as it had seen the passing of La Salle and Tonti eighteen years earlier. From the Uzutiuhi village adjoining Tonti's Arkansas Post a journey of some fifteen miles down the seventeenth-century Arkansas River would have brought beaver skins to Tonti at the spot where Torimans (Indian Potato)³⁶ village and the wandering Tonginga had stood together only recently on the right bank of the Arkansas not 400 yards above the contemporary confluence with the Mississippi's western channel.³⁷ At least some, if not all, survivors of Tonginga and Torimans kept faith expectantly but vainly with Father Montigny in 1700, after the epidemic of 1698, by joining the Kappa ten leagues up the Mississippi.³⁸

Thus Tonti would have estimated the distance, for the standard estimates were of eight leagues between Kappa and old Tonginga and two leagues more on the western branch of the

³³ Thwaites, *op. cit.*, LXV, 116-117, 122-123 (Gravier); Margry, *Découvertes*, III, 462 (Joutel-Delisle), V, 402 and note (Pénicaut, Le Sueur); Saucier, *Carte Particulière*. Saucier seems to agree that the old chute of Island 69, just within the northern boundary of Desha County, Ark., represents the river at the lower part of the Kappa village in Tonti's time. Apparently the Quapaw winter cabins stood along Deep Bayou, the northerly boundary of Laconia Circle.

³⁴ Margry, *op. cit.*, III, 457 (Joutel-1687).

³⁵ Margry, *op. cit.*, III, 457 (Joutel).

³⁶ *Ibid.*, VI, 365 (Benard de la Harpe).

³⁷ Cf. *ibid.*, III, 454 (Joutel). The site may be in Section 9 or 10, east southeast of Yancopin. The "fifth village" reported by La Salle appears to have originated in La Salle's misunderstanding of a general name given to Uzutiuhi or to Uzutiuhi, Torimans and Tonginga.

³⁸ Cf. *ibid.*, V, 402 (Pénicaut); Thwaites, *op. cit.*, LXV, 116-117 (Gravier.)

Mississippi, behind Big Island, to Torimans-Tonginga at "the mouth of the Arkansas." For this also Tonti thought of the Arkansas mouth; in his estimation the channel, expanding to a half-mile width, which led from White River mouth southward and then eastward around the foot of Big Island, was not the Arkansas but the Mississippi. Almost every known record of the seventeenth and eighteenth centuries gives to the channel between Torimans and old Tonginga a length of two leagues, or five miles, which is the length of the winding cutoff of today; but since in an alluvial plain a small river winds more wildly and thus gains more length than a larger river, it may be that Big Island of the seventeenth century extended a mile or even much farther beyond its present southwestern angle. The present length of Big Island's wriggling southern boundary is seventeen miles, somewhat less than the length when surveyors meandered much different banks in 1829 and 1835-1836.³⁹ One of Tonti's companions of 1682 recorded a length of about sixteen miles.⁴⁰ Early eighteenth century estimates are of six and seven leagues, or fourteen and one-half and seventeen miles.⁴¹

If La Salle, Tonti and other men of Canada coming from the north regarded the western-and-southern boundary stream of Big Island as forming a branch of the Mississippi, the case was different with men of Louisiana who in later decades arrived from the south. Most of these latter took at once a modern point of view and regarded Big Island's southern boundary as forming the lower course of the Arkansas. They thought of the western boundary as a larger and northern mouth of the Arkansas leading to the head of the island. Necessity of distinguishing between three parts of one river proved to be too much for their descriptive powers. To perceive their meanings today it is necessary to read their narratives with map in hand.

³⁹ Alluvial Valley, Big Island quadrangle.

⁴⁰ Margry, *op. cit.*, I, 555 (Nicolas de la Salle.) "Le petit La Salle" is made greatly and inconsistently to under-estimate distances in this récit, which is not his own relation. The récit's estimate from the modern Arkansas mouth to Grand Gulf is 61 post leagues, or 148 English miles; in midbank mileage of 1916 the distance is 248 miles; cf. Saucier, *Carte Particulière*. Proportionately on this basis the récit's estimate of four leagues from Torimans (the Arkansas forks) to the river mouth (old Napoleon Bend) equals about sixteen miles. Figures composing the total of 61 leagues are taken from the secondary manuscript of Nicolas de La Salle's récit, apparently the source of Margry's nonconforming text, in *Mémoires de la Louisiane*. . . (3 v.; MS., 1725-1732, Ayer Collection, Newberry Library), volume 1.

⁴¹ Margry, *op. cit.*, VI, 362 (La Harpe), six leagues. Jean-Benjamin-François Dumont de Montigny, *Mémoire de L. . . D. . . officier Ingenieur, contenant Les Evenemens qui se sont passés a la Louisiane depuis 1715 jusqu'a present. Ainsi que les remarques sur les Moeurs, usages et forces des diverses Nations de L'Amerique Septentrionale et de ses productions* (MS., 1747, Ayer Collection), page 119, indicates about five and one-half leagues. Secondary testimony of Pierre-François-Xavier Charlevoix, *Histoire de la Nouvelle France* (3 v.; Paris, 1754), III (*Journal*), 410, seven leagues. Inspector-General Diron, in Newton D. Mereness, *Travels in the American Colonies* (New York, 1916), 55, six leagues.

While Tonti was hurrying southward to and past the perplexing Arkansas an expedition led from Biloxi Bay by Le Moyne d'Iberville was preparing to build Fort Mississippi at English Turn. On February 16 Iberville's chaplain wrote there in his diary, "Much clamor, much musketry, much rejoicing! Monsieur de Tonti has come!"⁴² Following Tonti came the disobedient Canadian woodsmen from the Illinois. Yet even white savages whose wildness of manners offended the European priest, even feral Canadians whose trade offended the merchants of Montreal and the inherited instincts of all Le Moynes, offered a welcome reinforcement to the weakness of Iberville's expedition in explorations remaining to be made.

On the next day the chaplain wrote again of Tonti, "Monsieur d'Iberville will do everything that he can to persuade him to go up the river with him." Still another day, and Tonti with fourteen men from the north had agreed to accompany the French boats. But soon distressing news was received from the upper villages. A British trading expedition from Carolina had penetrated even to Arkansas Post, guided by Tonti's former agent Jean Couture.⁴³ It was rumored that from headquarters in the Chickasaw villages east (rather, southeast) of the lowest Chickasaw Bluff⁴⁴ the expedition's chief leader had encouraged tribesmen on Yazoo River to murder Father Davion. Tonti consented to start on a punitive expedition. Iberville affected such gratitude that on the same day Tonti could write to his brother in France, "I am sure of his friendship. He will do all he can for me."⁴⁵

The rumor of Father Davion's death proved to be false, and English influence among the Chickasaw was recognized soon as too great to invite attention by a small French force. Tonti prepared late in March to return up the Mississippi.⁴⁶ If Tonti still held hope of favors to be gained from a Le Moyne, some of the woodsmen returning also carried different news to the north. Their view of affairs reached another of Tonti's brothers, offi-

⁴² Cf. Margry, *op. cit.*, IV, 364 (Iberville); journal of Father du Ru (MS.; Ayer Collection), *loc. cit.* Complete translation of this so-called journal forms the text of Butler, *op. cit.*

⁴³ Margry, *op. cit.*, IV, 430.

⁴⁴ *Mid-America*, XXI (1939), 230 (Tonti-1700).

⁴⁵ *Ibid.*, 220; cf. Butler, *op. cit.*, 22.

⁴⁶ Butler, *op. cit.*, 43.

cer of a post on the Great Lakes, who recalled the Canadian character of Le Moyne d'Iberville and wrote to his own father in October as follows:

My brother had to go down to the sea to have a conference with him, but I have not learned the result of their conference. From the little I have heard it would not seem that there was any project formed; at the same time the only fruit thereof has been expenditure of money to no purpose, having also the chagrin of seeing himself supplanted in an enterprise that was his by right on account of all the fatigues and difficulties that he has endured on his frequent voyages. He is more in debt than when he went to the country. And if the court does not take some notice of his services I do not know what will become of him.⁴⁷

To gain notice of his services Tonti's petition voyaged across the ocean. It arrived in France to join an illustration of what disorders might be expected of Canadian forest posts, for Quebec had just reported that eighty-four of those wild and now outlaw woodsmen whose services Canada wished to reclaim for benefit of the older colony had deserted with Tonti to Louisiana.⁴⁸ Tonti's petition told of the labors of nearly twenty years that had cost him and his partner La Forest the entire capital with which they had entered business in 1684. Tonti asked confirmation of the grant that La Salle had made to him on the Arkansas. He asked for a military company that he himself should command as captain on the Ohio against British encroachment. He asked for a trade monopoly at his proposed Ohio post, where as at the Arkansas he might add buffalo hides to the list of American exports.⁴⁹ He asked, in effect, authority to renew the disorders of Canadian forest trade in posts of the new Louisiana.

The French government referred to Iberville (in France again) the report concerning Canadian deserters and the question of what treatment Tonti's petition should receive. Iberville if only for his own sake could not avoid denying the implications of the report: "Canadians," including Illinois Indians, who had joined him on the Mississippi were only thirty-five or forty in number, he protested. The friendship that once he had differently protested for a man whose services he needed found no place now in his consideration of Tonti's plea. Tonti's proposed military

⁴⁷ Alphonse de Tonti to Lorenzo de Tonti, in Clarence Walworth Alvord, *The Illinois Country, 1673-1818* (Springfield, 1920), 110-111.

⁴⁸ Margry, *op. cit.*, IV, 471 (Iberville). In legend the number increased to 100.

⁴⁹ Cf. Murphy, *op. cit.*, 40; translation of *précis* of petition in *ibid.*, 119, from Margry, *op. cit.*, V, 349.

post would be expensive, argued the son of Charles Le Moyne, and Canadians frequenting it would desert their king and become savages. The plan that Tonti long had cherished of trade in buffalo hides met Iberville's approval, but he recommended that both such trade and the command of the proposed Ohio concession should devolve upon La Forest's brother-in-law, Charles Juchereau de St. Denis, member of an influential Canadian family. Within three weeks, on June 20, 1701, the ministry accepted Iberville's advice in full and acted on it.⁵⁰ The son of Charles Le Moyne had done all that he could to make Tonti's ruin permanent, and his all had sufficed.

One year later, on June 20, 1702, Iberville began a plan to seize for his new colony Louisiana the entire region in which Tonti had dominated Indian trade. He who had argued that one military post would be expensive proposed now not one post but three. One should stand on Missouri River and draw from Tonti's Illinois Country of Canada such products as might not go to the new Canadian post of Detroit, where Antoine de la Mothe Cadillac and Tonti's brother were in command. Another should stand at the Ohio's mouth. The third post Iberville destined to the Arkansas, not for Tonti but for royal exploitation of Tonti's unconfirmed grant among the Quapaw.⁵¹

Juchereau took possession of his Ohio River post in the summer of 1702; one year later he died there, and his Canadians soon went down to Iberville's Louisiana. Tonti's cousin, Lieutenant de Liette, remained at Chicago until the spring of 1705, when lawful Canadian trade in the Illinois Country became extinct. The Arkansas relapsed into barbarism, with perhaps a few white savages thereabouts as wild as red savages. Freed somewhat of white men's diseases, the Quapaw villages began to increase slowly in population. Their bankrupt seigneur, half-pay captain of colonial troops, earned his living at Louisiana's fort on Mobile River by serving there the man who had deceived him and supplanted him. At the Mobile fort, late in 1704, Henry de Tonti died of yellow fever.⁵² By only two years he had outlived an epoch in the history of North America and likewise in the more simple history of Arkansas Post.

⁵⁰ Margry, *op. cit.*, IV, 471, 478-479, 487.

⁵¹ Cf. *ibid.*, IV, 602.

⁵² Margry, *Relations et Mémoires Inédits*, 4.

CHAPTER II. "THE MINES OF THE ARKANSAS ARE A DREAM."

How Hernando Cortés found gold in Mexico was first told in French translation in the year 1532. How the Peruvian Inca sought to buy his life from the Spaniards by filling a room of his palace with gold for them came to French knowledge in a publication of 1545.¹ The value of Atahualpa's ransom, estimated at \$17,500,000, fell far short of the value that one French expedition one century later was to gain from one city on the Spanish Main;² yet thought of what seemed to be infinite riches in a little room persuaded Frenchmen to give always to the name Perú and not to the name Cartagena the dramatic meaning that in English is given to the name El Dorado.

France hoped from the first to duplicate, if not to win by conquest, Spain's treasure trove of the Americas, but French explorers and traders found in Canada no rooms of Atahualpa or halls of Montezuma. Copper unmined on the shores of Lake Superior and awaiting transport by birchbark canoe offered itself as a poor substitute for South American gold already worked. Canadians knew that gold and silver lay far to the southwestward, the Spanish silver of New Mexico, the Spanish gold that passed through New Mexico's mother mission Santa Barbara. Against Santa Barbara Henry de Tonti suggested indeed an expedition³ without knowing how tightly thirst and the Apache barred a French road to it across the Bolsón de Mapimí and the Llano de los Gigantes. Yet Frenchmen of Louisiana were not long to remain in ignorance that from the mines of New Mexico flowed one fork of Arkansas River.⁴

On their way toward the Arkansas in 1673 Louis Joliet and Father Marquette had seen the red soil of Kentucky in a river-side bluff and thought it to be an iron mine. Illinois Indians told La Salle in 1680 of the nuggets of copper found here and there along Illinois River in earth that they could not know was glacial till.⁵ In the earliest years of La Salle's Fort St. Louis, traders exploring along the Mississippi recognized deposits of lead near

¹ Gilbert Chinard, *L'Exotisme Américain dans la Littérature Française au XVI^e Siècle* (Paris, 1911), 16-25, notes.

² Alberto Miramón, "Piratas, corsarios y bucaneros en Cartagena de Indias," in *Revista de las Indias*, Epoca 2, No. 32, (Bogotá, August, 1941), 374, 383.

³ Margry, *Découvertes*, IV, 105.

⁴ Diron, in *ibid.*, VI, 241n.

⁵ *Ibid.*, II, 94 (La Salle); cf. Kellogg, *Early Narratives*, 303 (Tonti), Pease and Werner, *The French Foundations*, 347 (Pierre de Liette).

Rock River (Illinois) and on Merrimac River (Missouri).⁶ It may have been the lead mines of the central Ozarks, reputed to be richer than those of the Illinois Country, of which Henry de Tonti learned on the lower Mississippi.⁷ At the Tensas village in 1682 and again at a more southerly village in 1700 Tonti bought pearls some of which were as big as French peas; one minor member of the mission of 1698 was so worldly as to say that the pearls of Tensas might hold promising value.⁸

One Canadian trader, cousin-by-marriage of the family Le Moyne, came from France with Iberville in 1700 and went up the Mississippi to the point near the Minnesota River where he found a mine of his own, but the canoeloads of blue earth that he carried down the great river and the green stones that he carried also proved not to be copper ore or gems.⁹ Before that time Mathieu Sagean had recounted as fact that statues made of solid gold stood in an Indian village somewhere within the Missouri Valley; one statue held between its teeth a flashing red jewel.¹⁰ A man named Bourgmont with other adventurers first explored the Missouri about the year 1703,¹¹ going up 165 miles to and then past the lower Manitou Rock, from the face of which nodules of hard red stone and blue stone might be loosened.¹² Such a rock in such a place on the Missouri below the Kaw but producing red pipestone rather than flints entered into a story that in time became current as follows:

On the bank of the Missouri can be seen a cliff rather high and so straight up from the water's edge that the liveliest rat could not climb it. From the midst of this cliff springs a mass of red stone speckled with white, like porphyry. . . . The natives of the country who know what this may be worth have contrived to detach pieces from it by arrow shots. These pieces fall into the water, and they dive in to bring them out.¹³

⁶ *Wisconsin Historical Collections*, XIII, 271-292; Margry, *op. cit.*, III, 492 (Joutel); Thwaites, *Jesuit Relations*, LXV, 104-105 (Gravier); Pease and Werner, *op. cit.*, 347; Carl Ortwin Sauer, *The Geography of the Ozark Highlands of Missouri* (Chicago, 1920), 74-75; H. Foster Bain, *Zinc and Lead Deposits of the Upper Mississippi Valley* (U. S. Geological Survey, Bulletin 294, Washington, 1906), 2.

⁷ Kellogg, *op. cit.*, 302; Margry, *op. cit.*, IV, 105.

⁸ Margry, *op. cit.*, I, 601 (Tonti-1684); *Mid-America*, XXI (1939), 224 (Tonti-1700); Shea, *Relation de la Mission du Mississipi*, 61 (Thaumur de la Source). Cf. Butler, *Du Ru*, 20, 34-35.

⁹ Margry, *op. cit.*, VI, 81.

¹⁰ *Ibid.*, VI, 100, 101.

¹¹ *Ibid.*, VI, 180, 181, 390.

¹² Cf. Reuben Gold Thwaites, ed., *Original Journal of the Lewis and Clark Expedition, 1804-1806* (7 v. and atlas; New York, 1905), I, 48, VI, 57.

¹³ Le Page du Pratz, *Histoire de la Louisiane* (3 v.; Paris, 1708), I, 326.

This story perhaps and certainly other wonders of the west were known to Antoine de la Mothe Cadillac of Detroit, who received royal orders late in 1710 to return to France.¹⁴ With him went the Canadian governor's report that copper mines existed near the Ohio.¹⁵ In France Cadillac found himself destined to supercede Jean-Baptiste Le Moyne de Bienville in governing a Louisiana whose metallurgical future seemed effulgent with golden light. On Mobile River a military post and at the mouth of Mobile Bay a village of Canadians still composed the new colony; the Mississippi River belonged to Father Davion, sole remnant of the first Mississippi mission from Quebec, and to the wild Canadian traders, but soon it was to be the trade route of a truly royal province. Cadillac told to Antoine Crozat, a French millionaire, the wonders of Louisiana that Cadillac himself knew only by rumor, the immense riches of an untouched land, the mines of gold and silver, the pearls of Tensas, the profits of trade with Spanish colonies now ruled by a king of the royal house of France.¹⁶ Crozat risked his millions as the capital of a company to which the king gave a monopoly of trade in Louisiana.

The royal grant to Crozat included all the Mississippi Valley except Illinois River and its prairies,¹⁷ which remained a part of Canada with Henry de Tonti's cousin Pierre de Liette commanding the Canadian Fort Illinois at Muscooten Bay (Beardstown).¹⁸ It was seen that a half-way post would be needed for communication between the upper and lower countries, but instead of planning a post on Arkansas River the ministry revived Henry de Tonti's old plan of a post at the Ohio mouth.¹⁹ Cadillac landed at Mobile Bay in June, 1713, and put into effect the Company's monopolistic prices for provincial products. For a bearskin delivered at the port, wild traders had been receiving 60 sous; the new price was 40 sous. Buckskins, later to give the English language a synonym for a dollar, dropped from 25 to 15 sous. Traders among the Indians protested these changes and threatened to bring no more furs to French posts.²⁰ At the expense of

¹⁴ *Michigan Pioneer and Historical Collections*, XXXIII, 483-484.

¹⁵ Pierre Heinrich, *La Louisiane sous la Compagnie des Indes, 1717-1731* (Paris, 1908), lxvii, note 5.

¹⁶ *Ibid.*, lix.

¹⁷ Margry, *op. cit.*, VI, 511.

¹⁸ *Michigan Pioneer and Historical Collections*, XXXIII, 550, 560-561; *Report on Canadian Archives for 1899*, supplement, 496; *Illinois State Historical Society, Journal*, XXVIII (1935), 124, 127n.

¹⁹ *Report on Canadian Archives for 1899*, supplement, 469, 476.

²⁰ Heinrich, *op. cit.*, lxi, lxii.

traders and of Indians and perhaps at the cost of diverting trade and good will to the British of Carolina, Antoine Crozat was seeking to finance his colonial enterprise.

Governor Cadillac employed a different method to increase colonial revenues. Stories of gold and silver in regions up Red River caused a group of colonial speculators to propose to him an expedition that they themselves should finance. In October Cadillac accepted the proposal and the leader whom the speculators proposed, who was Juchereau de St. Denis, son of the late commandant on the Ohio. In August, 1714, St. Denis set out from Mobile Bay on a quest that was to lead him later into a famous romance.²¹ More romance than profit came even from this first venture.

Wishing to provide profit as well as romance of a sort Governor Cadillac himself went hunting mines next year, but in the regions of Missouri River. The romance of his journey came to Muscooten Bay in the form of a story that Missouri had yielded him both silver and gold.²² Yet the official report that Cadillac carried back to Mobile Bay practiced honest restraint. The governor could silence doubters by displaying one nugget of copper (from the glacial till of Illinois), one bit of substance, perhaps zinc, that he thought to be antimony, a sample of the silver sometimes found today in interesting quantities in the lead ores of Illinois and Missouri, and plenty of the lead itself. Inspection in the field had convinced Cadillac that the Mississippi Valley was not a second Perú. To the unromantic but perhaps profitable subject of lead Cadillac now gave all his enthusiasm without considering what source in France might produce the hundreds of thousands of livres that suitable mines and smelters would cost 400 leagues within a savage wilderness.²³

Before the return of Cadillac in October, even before the death of King Louis XIV in September, Louisiana received royal orders for expansion of military control in the colony. To the posts of Mobile Bay and Mobile River Cadillac should add a post far up a branch of the Mobile, another at the Ohio mouth and

²¹ *Ibid.*, lxiv, lxix, note; Margry, *op. cit.*, VI, 193-194. Daupin de la Forest, deceased uncle of St. Denis, had been a partner of Tonti and of Michel Accaux (who signed his name Aco) in the trade of the Illinois Country. The name Accaux appears in the list of traders resident in 1725 at Natchitoches, where St. Denis was commandant; another name is Alogre Prudhomme: Census of Jan. 1, 1726, Archives Nationales, Colonies, G¹ 464.

²² *Wisconsin Historical Collections*, XVI, 325.

²³ Emile Lauvrière, *Histoire de la Louisiane Française, 1673-1939* (Baton Rouge, 1940), 157; Benjamin Franklin French, comp., *Historical Collections of Louisiana* (5 v.; New York, 1846-1853), III, 45.

one among the Natchez tribe. Early in 1716 the regency of the Duke of Orleans increased the first expansion by adding plans for one settlement at Iberville's original post of Biloxi (Benjamin Point, Ocean Springs, Mississippi) and one on the Arkansas.²⁴ On Ohio River and the Tennessee seventy men in all should be set, to hunt, to trade, to guard, with Le Moyne de Bienville as their commander.²⁵ Such posts seemed needful, for English traders of Carolina were extending their influence to the upper branches of Mobile River as well as to the Ohio.²⁶

In March the Regency recalled Governor Cadillac to France; a new governor was to be sent to Louisiana with four companies of infantry and many colonists. In May the French government authorized John Law, a Scot, to open a private bank in Paris. Financial difficulties caused the colonial office in September to postpone establishment of posts planned for the Arkansas and the Ohio. On April 10, 1717, the Regency entered with John Law into a novel plan for inflation of French currency in a way that should help the government to pay the French national debt.²⁷ In May the new governor came to Louisiana not with four companies of infantry but with barely enough men to garrison the new post up Mobile River and none for the Arkansas. In August the Regency gave to John Law's *Compagnie d'Occident* a charter in succession to the extinct company that had carried Antoine Crozat well toward ruin.²⁸

Within the space of twenty-five years the new Company was assured of a trade monopoly and, at the end of that time, continued ownership of all mines that it should have opened. It undertook to send to Louisiana within the first three years 6,000 white persons and also 3,000 Negro slaves,²⁹ the latter to be provided by its later subsidiary, the *Compagnie du Sénégal*.³⁰ Its dominion overlay all the Louisiana of Antoine Crozat and in addition the Canadian Illinois Country, which extended as far north-eastward as old Fort St. Louis³¹ (near Ottawa, Illinois). To sell

²⁴ Cf. Heinrich, *op. cit.*, lxxvii, lxxviii.

²⁵ *Report on Canadian Archives* for 1899, supplement, 512.

²⁶ Heinrich, *op. cit.*, lxi; *Wisconsin Historical Collections*, XVI, 318-319.

²⁷ Eugène Daire, *Economistes financiers du XVIIIe Siècle* (Paris, 1851), 426, 427.

²⁸ Paul Harsin, ed., *Oeuvres Complètes de John Law* (3 v.; Paris, 1934), III, 420; Le Page du Pratz, *op. cit.*, I, 47-81.

²⁹ Alvord, *The Illinois Country*, 151. The Company fulfilled its contract with respect to whites, but imported only a few hundred Negroes; the traveller Charlevoix published the fable that all 9,000 had been destined to the Arkansas: Heinrich, *op. cit.*, 47; Charlevoix, *Nouvelle France*, III, 410.

³⁰ Daire, *op. cit.*, 434.

³¹ Cf. Heinrich, *op. cit.*, lix note, 4; *Illinois State Historical Society, Journal*, XXVIII (1935), 124.

the Company's shares John Law planned a campaign of publicity even before his letters patent came to be registered, on September 26, 1717, in the office of Parlement. In the revered *Mercure de France* for that same September the campaign was opened with an article made up out of confused reports that the past few years had accumulated. Describing the lands above the Ohio and first the region along and above and below Missouri River, the article presented a story attributed to Indians, as follows:

They relate that there are mines of gold and silver there and that there exists there a rock (*roche*) of great value—it is so steep that its summit is inaccessible—from which only by arrow shots can they detach certain green stones, extremely hard and extremely beautiful, resembling emeralds, with which they adorn their upper lips, which they pierce for that purpose. There is reason to believe that the French who will settle among the Illinois Indians will make all these rich discoveries when the colony becomes more thickly populated.³² . . . A fort has been built on the top of a rock (*rocher*) almost 200 feet in height, at the foot of which flows the River of the Illinois.³³ . . . Experience has taught that this region possesses mines of gold and of silver, of copper and of lead; much of this latter is now being mined with almost no labor.³⁴ . . . There is reason to believe that the sea once covered the land to a distance of 150 leagues into the country, for cliffs of oyster shells have been found toward the Arkansas. We are told by Indians from the upper Missouri that there is in that district an Indian tribe to whom white men come every year with horses on which to carry away "yellow iron"—so gold is named by those tribes and these white men are doubtless Spaniards. Moreover, the same chain of mountains in which gold and silver are found in Perú and in Mexico passes through upper Louisiana.³⁵

Other articles tending toward the immediate welfare of John Law's income made their appearance. One writer who pretended to have visited in May, 1717, a Louisiana that, he said, might

³² *Le Nouveau Mercure*, September, 1717, p. 130 (New York Public Library.)

³³ This news was twenty-seven years stale. Fort St. Louis had been abandoned as a military post in 1690. The Canadian garrison of Muscooten Bay, which was about to be withdrawn, policed the country of the Peoria tribe, who were known as the Illinois du Rocher but did not live at the Rock.

³⁴ *Le Nouveau Mercure*, September, 1717, p. 132. The presence of gold, which Tonti himself did not suggest, had been insinuated by the editor of *Dernières Découvertes dans l'Amérique Septentrionale de M. de la Salle, mises au jour par M. le Chevalier Tonti, Gouverneur du Fort Saint Louis, aux Illinois* (Paris, 1697), 9.

³⁵ *Le Nouveau Mercure*, September, 1717, p. 135. The author of this article is apparently Diron, a director of the Company, formerly commissaire ordonnateur in Louisiana and soon to return to the colony as inspector-general. The characteristic literary style, obscured in translation, appears again in the second series of notes (unsigned and undated but of March, 1722) annexed to the census of Louisiana of Nov. 24, 1721, which with the first series of notes is signed by Diron and others: ANC, G¹ 464.

become some day the French Perú, expressed more clearly the hopes that the Company wished to impart to investors. Confusing Arkansas River with the Missouri, this writer contributed the following vanity to the swelling Bubble:

If you are curious about mines, as I do not doubt you are, we can traverse the country of the Natchitoches, where we have a post established; that of the Assenis, the Illinois [and] the River of the Arkansas, which flows into the great river a little below that of the Illinois. We shall examine the mountains situated on this river, which comes from New Mexico. There we shall gather, believe me, specimens from silver mines, since others already have gathered such there without trouble. And I would have you to know that since these mountains are in the same chain as those of New Mexico, where the Spaniards dig up immense riches, it is impossible that these should not be equally productive.³⁶

In Paris the discredited ex-governor, La Mothe Cadillac, who had made an honest report on the mines of Missouri, could not let pass similar stories and the other puffs of wind with which the Mississippi Bubble already was expanding. "The mines of the Arkansas are a dream," he cried. The opposing party of interest became immediately active; on September 27, one day after the Company's letters patent had taken effect, Cadillac went into the Bastille for a term of more than three months "on suspicion of having spoken with scant propriety against the Government of France and of the Colonies and accused of having commissioned the writing of articles contrary to the welfare of the State."³⁷

Yet memoirs favorable to the Company's interest continued to appear in print. "Pearls, they said, could be fished there in abundance," one disapproving Englishman commented, "the streams which watered it rolled sands of gold, and that precious metal was found on the surface of the earth without need of profaning its bosom."³⁸ Pearls could, indeed, have been fished in abundance, from mussel shells in the rivers if not from oyster shells in the sea, and to the profit of persons who bought the speculative shares of the *Compagnie d'Occident* (or, as it later became known, the *Compagnie des Indes*.) But the cool sheen

³⁶ Jean-Frédéric Bernard, ed., *Relations de la Louisiane et du Fleuve Mississipi* (Amsterdam, 1720), 30. The quoted memoir, at least in the form published by Bernard, was not in circulation so early as 1717.

³⁷ Marc de Villiers du Terrage, *Histoire de la Fondation de la Nouvelle-Orléans, 1717-1722* (Paris, 1917), 23; Heinrich, *op. cit.*, 6. No specific charges were made against Cadillac. No statement was taken from him. No trial was held.

³⁸ Retranslation from Champigny's French translation of an English original, in French, *op. cit.*, V, 130.

of pearls charmed not at all those eager young men who wished in Louisiana to hunt only for gold, to find gold for themselves, to gloat over gold as the ore of it revealed itself to them among the roots of some fallen tree or as the dust of it gleamed up through the water of some stream. Only gold—or perhaps only gold and jewels that glittered—could satisfyingly spill from the pot at the rainbow's end.

To govern the land of newly appreciated wonders the Company divided Louisiana into four commanderies and charged Le Moyne de Bienville to guard the province again with the title of commandant-general. The commandery of the Illinois, with headquarters at Kaskaskia and later at Fort Chartres, included the district of the Arkansas, which extended from Arkansas River to the Ohio.³⁹ Early in October, 1718, the newly appointed commander of the Illinois (Pierre Duqué de Boisbriant, a cousin of the Le Moynes) started for his post. Winter, which meant the customary low water and swift currents, the customary barriers of sawyers and snags, the customary shortage of provisions and customary scurvy for boatmen on the river, detained at the Arkansas some of his force of 100 men, who were soldiers, settlers and criminals transported to be silver miners.⁴⁰ The value of the Arkansas compared with that of the Ohio mouth as a way-station on the Mississippi became apparent; the Company, like its predecessor, ordered the establishment of a military post near the mouth of Arkansas River. Two commissioners arriving early in 1721 to administer the bankrupt Company's local affairs from headquarters on Mobile River repeated these orders in April.

In July the Colonial Council at Biloxi Bay remembered the Company's privileges under the terms of its charter and decided to explore Arkansas River for mines and other commercial and political assets before deciding where to establish a permanent post.⁴¹ All the romance of rumors from the Missouri, all the old tales (based on truth for the most part though meaningless then) of mines in the Illinois Country, all the greed that had swollen the Mississippi Bubble and burst it, had resulted in a bit of paper within the Council's hands. The Council treasured a map of a river that might be the Arkansas, for all that any

³⁹ Alvord, *op. cit.*, 152 (year 1721); *Report on Canadian Archives for 1904*, appendix K, p. 10 (year 1722).

⁴⁰ French, *op. cit.*, III, 68; De Gac, in De Villiers, *op. cit.*, 36. Cf. Heinrich, *op. cit.*, 25.

⁴¹ Dunbar Rowland and A. G. Sanders, eds., *Mississippi Provincial Archives, French Dominion* (3 v.; Jackson, 1927-1932), II, 264.

one at Biloxi Bay could say to the contrary. On that map some rumor had marked the spot where a rock arose out of water, a rock, a jewel, a gem, a mass of living topaz.

To find the wealth of this mine already opened the Council could spare no senior commissioned officer, but an experienced explorer was nevertheless at hand and eager for such service. It was young Jean-Baptiste Benard de la Harpe, already a friend of Indians on the upper Arkansas. Lacking political influence La Harpe was only a cadet despite the experience he had gained in 1720 by an exploration through lands today called Oklahoma from Red River to the river called later the Canadian Fork of the Arkansas. La Harpe left New Biloxi on December 15 with thirteen enlisted men and with Bienville's own Indian servant assigned to him as interpreter. With seventeen men and three pirogues the cadet left New Orleans on December 24 and took his way up the Mississippi.

Governor de Bienville put no trust whatever in La Harpe's discretion; he had given to La Harpe explicitly written orders to explore the branches of the Arkansas as far as possible, to learn the character of the soils and what Indian tribes lived on the river's banks, to effect alliance with those tribes, to note the nature of forests and of rocks "if there should be no mines there at all," and to bring back as many specimens as he could. In addition he had given to La Harpe unwritten orders to bring back a cargo of jewels.⁴²

The middle-aged Governor de Bienville was a little man. More than twenty-one years earlier he had crossed the flooded Tensas Basin from the Mississippi to Sicily Island and the western upland, wading sometimes up to the neck in water, and had wished that he were tall;⁴³ reports of mountains on the Arkansas, where flood waters would not take a man by the throat, may have pleased him. Bienville was also from his youth a credulous man. Looking for wonders to the westward of Sicily Island he had reported the existence there of nothing less than unicorns.⁴⁴ Time since had taught him caution; he did not write officially now of jewels. Yet his associate in government, Inspector-General

⁴² Cf. Margry, *op. cit.*, VI, 358-359. La Harpe in 1763 emphasized the unquestioned fact that his written orders contained no mention of jewels: Benard de la Harpe to Choiseul, Aug. 8, 1763, folio 6, ANC, C¹³B, 1.

⁴³ Margry, *op. cit.*, IV, 433.

⁴⁴ La Harpe, in *ibid.*, VI, 286-287. La Harpe omits his own complimentary unicorn from the summary of his earlier memoir included in his memoir of 1763, cited above. The summary suffices to dispel most of Margry's doubts concerning the authenticity of Beaurain's copy.

Diron, long had thought of Arkansas River as a road to the Spanish treasurers of Santa Fé,⁴⁵ and Bienville could not forget the silver miners whom his cousin Boisbriant had led three years earlier to reputed riches in the Illinois Country. To thought of those men, and perhaps of the cherished map, he joined the repeated and unanswerable argument that Cadillacs cry against the Arkansas had not stilled. On the day of La Harpe's departure from Biloxi Bienville wrote of Arkansas River to the Council of the Marine in France, and wrote as follows: "I entertain no doubt that mines will be found there as good as in the Illinois, since the same chain of mountains passes [through]."⁴⁶

Alongside a cliff if not a mountain La Harpe turned from the Mississippi into the Yazoo. At the new Yazoo settlement in little riverside meadows he increased the force of his expedition and enriched its character by borrowing from the Yazoo garrison a willing 25-year-old lieutenant of infantry, Jean-Benjamin-François Dumont, who preferred to be known as Dumont de Montigny and as an engineer officer.⁴⁷ Dumont made and justified some pretensions to technical skill; his duty was to act as the expedition's scientific member.⁴⁸ In after years he acknowledged only that he took with him such clothing as he might need, his case of mathematical instruments, a compass, paper, pencils, pens and that supply of ink the lack of which would have irked him more than the lack of wine. A friend from Natchez who was a friend no longer told also in after years a different story of Dumont's preparations, recalling arrow shots on a more northerly river. He spoke with irony of those two eager young men, La Harpe and Dumont. Of a Louisiana crossbow intended for hurling an improved arrow against an Arkansas cliff of jewels, which may have been the ghost of a pipestone cliff on the Missouri, his story ran as follows:

The leader of those wanderers was so convinced of finding that rock . . . that he took with him a man who called himself an engineer in order that this able man, by the knowledge he had of Nature, might provide him with the means of carrying away that rock in big pieces. To assure the result this self-styled engineer invented an apparatus that had springs extremely strong, since two men were needed to wind it up. This apparatus when let go was

⁴⁵ Cf. Diron, in *ibid.*, VI, 241n.

⁴⁶ ANC, C¹³A, 6:179.

⁴⁷ Cf. Jean Delanglez, "A Louisiana Poet-Historian: Dumont dit Montigny," in *Mid-America*, XIX (1937), 32n; Dumont de Montigny, *Mémoire* (MS.), 116. Dumont was born July 30, 1696; *ibid.*, 155-156.

⁴⁸ Dumont de Montigny, *op. cit.*, 116.

to cause the same effect as the battering rams that the ancients used in the sieges of fortified cities. The head, on the side where it was to strike the rock in question, had the shape of a capital-A. I think that if with an instrument of this sort a piece of slightly excessive size had been detached a large number of little pieces would have been made. It would even have reduced to powder too great a quantity of a substance so rare and so precious.⁴⁹

The man of Natchez might laugh at Dumont, but he who preferred to call himself Dumont de Montigny was not one, in the year 1722 or ever afterward, to hold himself in derision. A good quarter-century later, at the age of 51, he could and did deride his former companion La Harpe as a gullible youth, but himself he preferred to represent only as a casual and supernumerary actor in the climax and anticlimx that he drenched thus with purple light:

How many things do grow out of self-interest! How often a man will believe what is false, will believe those lovely deluding hopes that impose themselves upon us! . . . After many trials, many labors, with the ground for a bed, after sufferings, snowstorms, frosts, rains and so forth, we found Nothing.

Since even at the age of 51 Dumont could not refrain from coloring old drama at the expense of truth, immediately he dipped his pen again into a favorite ink composed half of truth and half of fancy. In this wise he sketched the scenery of another Nothing that he had found on the Arkansas:

At 122 leagues from the mouth of this river, on the right as you go up there is a stream, small of volume but rather wide, in which the water is extremely clear. Take a yard and a half of the red or the blue cloth that is called limbourg. Fold it over from each of two edges. Hang a stone around the middle of it weighing at least a pound and a half. Put it into the stream, which is little more than one foot deep. Leave it there 24 hours. At the end of that time take it out, let it dry in the sun, throw away the stone and rap with your finger at the center of the folds. You will gather at least enough to fill an empty eggshell, full, of gold dust. I did so myself.⁵⁰

⁴⁹ Le Page du Pratz, *op. cit.*, I, 310-311.

⁵⁰ Dumont de Montigny, *op. cit.*, 116-117. Rather free translation has seemed suitable: Dumont had more thought to style than to syntax. The distance, of 122 leagues from the Mississippi somewhat exceeds the distance to Cadron Creek according to La Harpe's figures as transcribed by Margry, *op. cit.*, VI, 366-376, where copyist's errors are apparent, but is consistent with La Harpe's estimate of total distance travelled: La Harpe to Choiseul, Aug. 8, 1763, as cited, f. 6v. The measurements of daily travel (Margry, *op. cit.*, *loc. cit.*) may justly be regarded as Dumont's own, since Dumont was the scientific member of the party. In his own memoir, page 118, Dumont grossly exaggerates the total distance travelled on the Arkansas, as La Harpe was to complain in 1763. La Harpe confirms Dumont's story of gold to the extent of estimating the value at one crown, or 60 cents in modern American coin.

"Some wanderers saw a few grains of gold there in a little stream," the incredulous man of Natchez was to tell the world later in a moment of credulity, "but . . . they did not condescend to indulge themselves in gathering those bits of gold. Time was precious; they had to make the most of it for something that was better worth while."⁵¹

Beyond the Rocher Française on the northerly bank of Arkansas River a distance that would have been a journey of thirty miles by land⁵² and therefore beyond Crystal Hill and to the mouth of Cadron Creek in modern Faulkner County, the wanderers had hurried on before stopping to camp long enough at the mouth of any other stream to grant Dumont twenty-four hours for his experiment in gold washing. Ten land-miles farther low water brought an end to their voyage by pirogue. At the mouth of Cadron Creek, if anywhere, Dumont put a folded piece of trade cloth into clear water and next day drew out—what? The Arkansas goldrush of 1886-1887, which produced only fools-gold, took place not in the Ozark foothills of Cadron Creek but in the distant Wichita Mountains of Logan County. The name of a tiny village (Gold Creek) fifteen miles east of Cadron Creek in Faulkner County long preserved the legend of Dumont without producing a gold mine. The dust that fell when Dumont rapped with his finger was the dust of something that eager young men, without knowing it, esteem more highly than gold. It was the impalpable dust of romance. Again in the year 1747 it was to fall from the finger of Dumont and gild a manuscript page as a man no longer young made himself for a moment young again.

The old map on which the Council at Biloxi had based its own hope of treasure had not helped Benard de la Harpe and Dumont to find a mass of jewels. It had come from the directors of the Company, Dumont thought, or perhaps from the two colonial commissioners. "These gentlemen," said Dumont of the directors, "had sent us a sort of map showing the place where that precious rock ought to be found. I do not know whether it was long out of date, but the river on which we voyaged was nothing like that on the map they had sent us."⁵³ Dumont might have had better luck in fitting the map to the Missouri, for the legend

⁵¹ Le Page du Pratz, *op. cit.*, I, 310.

⁵² Margry, *op. cit.*, VI, 374-376, entries of April 9-17, 1722.

⁵³ Dumont de Montigny, *op. cit.*, 118-119.

of his rock, if not of his topaz, better fits the more northerly stream. Yet the colorless rock crystal of Arkansas, quarried now by the ton for the making of rock gardens, has the hardness of topaz, and exposure to light turns its clarity slowly to topaz brown. Indians of Arkansas knew and valued rock crystal.⁵⁴

La Harpe recognized at once the future value of the many rock formations revealed at and near the Rocher Français: the streaked stone "hard as flint" that at the time he did not quite dare to call marble, the slate, the black stone suitable for buildings, the limestone ready to be roasted in a kiln, the gypsum, the stains that suggested the presence of iron; but he made no mention of jewels, no mention of topaz or even of crystal.⁵⁵ In Alexandrines that limped like an explorer at the end of the day's march Dumont twenty-five years later expressed somewhat as follows not only the knowledge he had of Nature, but also Arkansas's need for immigration:

We passed beside the spot where the wild cattle drank
And mines of marble lay along the river's bank,
And crystal mines, and mines where slate was to be had.
It is too bad
Nice people do not go in numbers to suffice
To populate a land that they would think so nice.⁵⁶

With more adventures to tell than jewels to display Jean-Baptiste Benard de la Harpe and Jean-Benjamin-François Dumont de Montigny returned to the posts of Louisiana. Dumont took his stories in the course of time to Natchez, where the late Henry de Tonti's cousin Pierre de Liette acted as commandant.⁵⁷ With a governmental salary of 2,000 livres a year⁵⁸ the richest and most distinguished non-military resident of this post in the time of Dumont was a graduate physician, Dr. Prat, who preferred to be known as Le Page du Pratz and who, out of invention if not out of experience, could match any wonder that Dumont might draw out of any bottle. From Dr. Prat Lieutenant

⁵⁴ *Arkansas Historical Publications*, IV (1917), 424.

⁵⁵ Margry, *op. cit.*, VI, 376, 380.

⁵⁶ Marc de Villiers du Terrage, "L'Etablissement de la Province de Louisiane, poème inédit de Dumont de Montigny," in *Journal de la Société des Américanistes de Paris*, XI (1914-1919), 38.

⁵⁷ Dumont de Montigny, *op. cit.*, 153.

⁵⁸ At least for the year 1742: Estimate of expenses, April 22, 1742, ANC, C¹¹A, 115:30v. The principal services rendered in return for this salary were those of discovering and collecting medicinal plants for use by provincial surgeons and apothecaries; an army surgeon received only 480 livres a year. Dr. Prat did not become a resident of Natchez until after Dumont had gone to live in New Orleans.

Dumont learned a cherished story of the doctor's own, how an Indian had revealed to him a deposit of rock crystal not too far from Natchez and therefore readily accessible.⁵⁹ In 1750, after his return to France, Dr. Prat vainly urged the French government to grant him a loan of 30,000 livres in order that he might exploit his crystal mine, "discovered only by the merest chance and known to him alone."⁶⁰ What may have been his surprise three years later to find his secret revealed in print in the newly published 2-volume memoir of his old friend Dumont!⁶¹

What may have been likewise Dr. Prat's surprise to find that the passage of thirty-one years had turned La Harpe's rock of Arkansas topaz into a rock of emerald! Even in the time of the India Company and of La Harpe's belief in maps the brown jewel called topaz was losing its ancient favor among European ladies. By the middle of the eighteenth century it had come to be esteemed as no more than a semiprecious stone. The reverend abbé Le Mascrier, who rewrote and vitiated for publication in 1753 Dumont de Montigny's narrative of adventures, was not averse to picking up bits from *Le Mercure de France* or elsewhere and adding them to a text from which he had deleted so many other bits of perhaps even less reputable character. Dumont's topaz became emerald for publication, and Dr. Prat accepted it as such in print.⁶² A green legend thenceforth has shone over Arkansas.

It is doubtful whether anyone in France believed the published tale of emeralds on Arkansas River. In the year 1753 emeralds were overmuch to be expected of Louisiana, especially by the grandchildren of investors who had read and believed *Le Mercure de France* in 1717. Yet if La Harpe and Dumont, instead of exploring two days westward from their head of river navigation, had explored five days southwestward into modern Pike County, they might have walked upon diamond mines unopened, might have picked up from the surface of the ground diamonds of the best blue fire, might have dug up one diamond only three carats short of equalling in rough weight the cut weight of the stone known today as the emerald of Atahualpa.⁶³

⁵⁹ Cf. Le Page du Pratz, *op. cit.*, I, 236-237.

⁶⁰ Mémoires de la découverte qui a été faite à la Louisiane d'une Mine de Cristal de Roche, ANC, C¹³A, 34:386E and verso, signed: *par Le Page*.

⁶¹ Cf. (J-B. Le Mascrier, ed.) *Mémoires Historiques sur la Louisiane . . . composés sur les Mémoires de M. Dumont* (2 v.; Paris, 1753), I, 71-72.

⁶² Thus La Harpe in his letter of 1763 to Choiseul could deny with truth that he had had orders to search for emeralds. He did not say that he was not looking for other jewels.

⁶³ Smithsonian Institution, *Annual Report for 1932*, 261.

It may be as well that two young men brought back to Biloxi in 1722 no news of diamonds in the Wichita Mountains to adorn their story of adventure in the Ozarks. No one would have believed them. No one could have believed them.

Dumont de Montigny and the abbé Le Mascrier put not diamonds but Dr. Prat's rock crystal into print ahead of Dr. Prat. Dr. Prat now had opportunity for plagiarism on his own account. He sat himself down to write a book that should fill three volumes instead of two. From here and from there he took what suited his purpose, with or without giving credit to his sources of information. No source would be of more importance than his own fancy, which produced two copper mines from the sand-clay of Biloxi and other mines of lead, iron, coal and gold from the silt of the Yazoo Delta and the older sediments of the third Chickasaw Bluff. The rocky mountain that he climbed in print not far from Walnut Hills may be the modest height of Vicksburg seen through a romantic mist, but his mountains rising from the Mississippi bank on the Arkansas side he borrowed without credit from among the Ozarks of Dumont's adventure.⁶⁴

Dr. Prat knew of a silver mine near the Natchitoches and not many leagues distant from the point where in a later century such a mine was to aggravate the unappeasable hunger, and he set it on one of his own published maps.⁶⁵ He wrote of no gold mines along Arkansas River, but in another map he recorded the existence of one. For the wonder of posterity he set it at the mouth of that stream where once perhaps a young man had lifted a piece of trade cloth out of water and rapped it with his finger.⁶⁶

CHAPTER III. THE SECOND INSOLVENCY

John Law, the Scot, entered into business as a French banker in the spring of 1716. One year later his private bank became a national bank by virtue of a governmental decree that made its notes legal tender, and the process of inflating French currency got fully under way. The Compagnie d'Occident, registered as existent on September 26, 1717, took over the French slave trade in the following year by absorbing the Senegal Company. In May, 1719, it absorbed the China Company and the East India

⁶⁴ Le Page du Pratz, *op. cit.*, I, 172-173, 232-262. The exact source of Dr. Prat's mountains appears to have been not Crowley Ridge at Helena but the Ozarks in one of Dumont's maps published by Le Mascrier.

⁶⁵ *Ibid.*, I, 203, and map, *La Louisiane*, in *ibid.*, I, 139. Cf. J. Frank Dobie, *Coronado's Children* (Dallas, 1930), 110-111.

⁶⁶ *Carte de la Louisiane, 1757*, in *ibid.*, I, 139.

Company and changed its own name to Compagnie des Indes. On February 23, 1720, it became a subsidiary of Law's bank, which the progress of inflation had brought already into financial difficulties.¹

Need existed for banking credit in regard to Louisiana, since need existed in Louisiana for immigration that would establish, it was hoped, the prosperity of the colony and therefore of the India Company. John Law himself in after years described the method that he and the Company used for increasing Louisiana's population. "The management," he wrote, "gave concessions free of charge to those who came to ask for them; it undertook to transport at the Company's expense the laborers, artisans and other persons whom the concessionnaires might send there and to provide boats for them to go up the river to the sites of their concessions and to give them seed and flour for the first year." Each concessionnaire had to bear the expense of bringing his indentured colonists to a port of embarkation in France and of maintaining his concession after the first year and until it should become self supporting. Even the optimistic John Law was aware that the prospect would demand of each concessionnaire an outlay of money in Louisiana over a series of at least three years.²

Speculators in the time of the Mississippi Bubble did not long hesitate to further such colonizing projects. Expectation of huge profits from overseas was still unabated when, on May 21, 1720, the French government despaired of its experiment in currency inflation and issued a decree that meant the ruin of John Law's bank on December 1.³ Yet the India Company might survive the death of inflation and of the bank; in that same May Law's Company accorded to Law himself a concession whereby he might further in Louisiana his fortunes already failing in France.

Since plantations more than 10,000 acres in area are not too rare today in Mississippi Valley cotton lands, it may be contended that the Scottish banker acted with reserve in allocating to himself one tract of wilderness including fewer than 24,000 English acres⁴ and a minor area on the right bank of English Turn, which

¹ Daire, *Economistes financiers*, 427, 434, 440; Harsin, *John Law*, III, 425.

² "John Law, *Mémoires justificatifs*," in Daire, *op. cit.*, 601, 602.

³ Daire, *op. cit.*, 442.

⁴ Heinrich, *La Louisiane*, 30n. The tract appears to have been intended as a rectangle measuring two surveyor's leagues (of 3.0277 English miles each) on each side. Le Page du Pratz, *op. cit.*, I, 170, quadruples the area but is conservatively vague as to population. Arkansas legend recounted to the resident missionary in 1727 raised the total of Law's German colonists to 12,000 and destined them all to Arkansas River on a grant sixteen leagues on each side: Thwaites, *Jesuit Relations*, LXVII, 259.

should serve as his port.⁵ Yet as the principal site of his colony John Law had chosen the region of Arkansas Post, which Henry de Tonti once had selected for himself out of half a continent. This was the way-station to the Illinois, the place where squadrons of keelboats, flatboats, pirogues and canoes bound to and from that northerly land of wonders would stop to create an immediate market for the products of Law's concession.⁶ This was also the spot commanding the river that Frenchmen regarded as a highway to Spanish riches of New Mexico.

From among the various French ports authorized for embarkation to the land of promise John Law chose Lorient as the one from which his own expeditions should sail. At Lorient in 1719, 1720 and early 1721 assembled the indentured Frenchmen destined to Baton Rouge, Natchez and the Yazoo and other indentured colonists whom Law's agents had recruited in Germany (Wurtemberg, Swabia, the Rhine Countries), Switzerland and Alsace. Legend has raised even to 12,000 the number of emigrants who came to Lorient within the space of about twenty months. Legend has raised into lesser thousands the number of persons who died of malnutrition and scurvy while they waited for ships that should carry them westward. Official records preserved in the archives of Lorient tell of few deaths there among the colonists. Other records suggest as only 1600 the total of persons—colonists, artisans and Company soldiers—of all concessions who sailed from Lorient between January 4, 1720, and April 23, 1721, and the few other German passengers who sailed from Le Havre at about that latter date.⁷

Semi-starvation at Lorient and the sailing of one ship of Germans from Le Havre were caused or invited by the confusion that followed the bursting of Law's Bubble. On December 1, 1720, Law's banknotes had become almost worthless by governmental decree. Two weeks later Law fled Paris, penniless, to a refuge beyond the French frontier. Though the India Company continued to function in the hands of a group of receivers and might carry

⁵ René Le Conte, "Les Allemands à la Louisiane au XVIII^e Siècle," in *Journal de la Société des Américanistes de Paris*, XVI (1924), 4; census of Nov. 24, 1721, and notes, ANC, G¹ 464.

⁶ Margry, *op. cit.*, VI, 380 (La Harpe).

⁷ Le Conte regards all embarkations from Lorient as of Law's colonists only. Dumont, who was present, names the concessionnaires whose colonists sailed from that port. Dumont speaks of no illness until the ship *La Charente*, aboard which he had sailed with German bondsmen, had come off Cape Finisterre, when epidemic disease struck first the passengers and then the crew. With 109 survivors (according to Dumont) out of nearly 700 persons who had sailed, the ship returned in mid-March to Lorient. Le Conte ascribes the few deaths at the port to scurvy; Dumont's description of his own illness suggests cholera on shipboard: Le Conte, *op. cit.*, 5-6; Dumont de Montigny, *Mémoire* (MS.), 79, 87, 88.

Law's colonists to Louisiana with a promise of one year's support on the land, no one remained to meet the Germans' expenses during the other years that must elapse until they should become self supporting. Circumstances seemed to condemn the Arkansas colony to insolvency even before its beginning.

The bankrupt Company failed to provide food to supplement the food brought by the hundreds of colonists, including Germans, who disembarked at Biloxi (Ocean Springs, Mississippi) in the summer, autumn and winter of 1720 and in May and June, 1721,⁸ to remain camped under canvas. The four longboats and twenty flatboats owned by Louisiana were too few to carry even a first contingent to their destination. Yet in the spring of 1721 only four ship carpenters were working at Biloxi to build more longboats.⁹ Starvation, scurvy and malaria reduced by more than one-half at Biloxi the number of French and German artisans and bondsmen who had survived earlier evils.¹⁰ A Company shipload of Africans arrived for sale to colonists or for service under the colonial council. The council offered slaves without charge to any persons who might be able to feed them; others starved to death.¹¹ To avoid at least the plague of malaria the council transferred the Germans to a point thought more healthful on the north shore of the bay, called Fort Louis or New Biloxi (near Gulf Hills), where earlier arrivals were already encamped.¹² New Biloxi's cemetery, rediscovered in recent years on the back bay, tells how many hopeful immigrants bound for Mississippi River concessions progressed no farther than their camp on what Louisiana's inspector-general called "an arid coast."

The Germans among the hundreds of survivors were too many in number to be set alive upon Law's concessions. The council, resident at Old Biloxi in 1721, pretended during four successive years that it had not known the Germans were all Law's own colonists.¹³ Therefore it felt free to place most of them elsewhere in Louisiana. By November, 1721, forty French

⁸ Le Conte, *op. cit.*, 6.

⁹ Heinrich, *op. cit.*, 43 and note 5.

¹⁰ Notes by (Diron) annexed to census of Nov. 24, 1721, ANC, G¹ 464.

¹¹ Dumont de Montigny, *op. cit.*, 105.

¹² Heinrich, *op. cit.*, 43; Dumont de Montigny, *op. cit.*, 95. Dumont's manuscript includes a small colored drawing of New Biloxi as seen from the entrance to the bay. The Ayer Collection, Newberry Library, contains also a large unsigned drawing of the canvas village of New Biloxi; it is apparently this drawing that in Arkansas has been regarded as portraying the establishment at Arkansas Post; cf. *Arkansas, A Guide to the State* (Writers' Program, WPA, New York, 1941), 50.

¹³ Council of Louisiana to Council of the Indies, New Orleans, May 20, 1725, and marginal comment, ANC, C¹³A, 9:140v.

bondsmen, eleven women and fourteen children under direction of five officers populated Law's port at English Turn. Between December 15 and January 31 of the following year 330 Germans, men, women and children, were transported to and set upon those right bank lands of Mississippi River thenceforth to be known as Les Allemands, or the German Coast. Benard de la Harpe at Biloxi in December, 1721, surrendered for this purpose the small *traversier* (half-decked longboat) in which he had just made an expedition to the coast west of the Mississippi mouth.¹⁴

Only 100 persons in all, men, women, children, white or black, free, indentured or enslaved, composed the group that in June or early July, 1721, had made its way to Mississippi River, bound for a more northerly destination than the future German Coast. If they followed the old time route they travelled through Mississippi Sound, Lake Pontchartrain and Bayou St. John and waded through swamp mud to New Orleans, where two years earlier the spring flood had inundated a village of bark huts.¹⁵ If they followed the newer route they passed through Lake Maurepas and Bayou Manchac. From New Orleans or from Manchac in thirty boats and with much equipment they travelled a journey of more than one month up the Mississippi and the Arkansas. Their chaplain died on the way,¹⁶ but their apothecary and their barber-surgeon survived. In the month of August they took possession of Arkansas River for the fugitive John Law.¹⁷ The census completed in New Orleans on November 24 estimated at eighty the number of white persons living on the Arkansas concession.

In that same summer New Biloxi had sent out another group of colonists with a detachment of Company soldiers, who passed successfully by way of Manchac and mounted the Mississippi to their concession within Yazoo River. Their arrival freed for other service the detachment of soldiers that the Company previously had stationed there, originally fifteen in number.¹⁸ Second-Lieutenant de la Boulaye, the commandant, found himself ordered therefore to the Kappa Indian village, eight leagues above White River's mouth. He transferred his detachment to the post

¹⁴ Census of Nov. 24, 1721, and notes added thereto, ANC, G¹ 464; Bienville to the Council, Dec. 15, 1721, ANC, C¹³A, 6:176-183v.

¹⁵ De Villiers, *Fondation*, 39-41.

¹⁶ Thwaites, *Jesuit Relations*, LXVII, 258-259.

¹⁷ Margry, *op. cit.*, V, 576 (Bienville), VI, 364 (La Harpe).

¹⁸ Dumont de Montigny, *op. cit.*, 103.

assigned to him, where the convoys would stop on their way up and down the river. But the Chickasaw enemy in a recent raid had frightened the Kappa tribe into decision to go soon, with their neighbors the Torimans and the Tonginga, to join the Uzutiuihi on Arkansas River. La Boulaye preceded them with a sergeant and twelve soldiers¹⁹ and on September 27 camped on the river bank near the edge of Law's concession.²⁰ Only one Frenchman remained at the Kappa village to receive supplies, which were to be long in coming from overseas and up Mississippi River.²¹

Arkansas River had undergone important changes by cutoff in the thirty-five years that had elapsed since Jean Couture and Jacques Cardinal had raised their cross on its left bank. Where once the river had flowed before Tonti's post and the Uzutiuihi village there lay a lagoon that today is a strip of swamp.²² The Uzutiuihi had transferred their lodges nearly five miles westward to a spot in the alluvial plain that they long had cultivated.

The river that had built that plain came down from the west and the northwest and approached the peninsula (protruding southward from the northern upland) on which the modern village of Arkansas Post is situated. A deep and narrow left bend carried it northward in the present southward course of Moore Bayou and then southward two miles, parallel to the western edge of the peninsula.²³ At the southern end of this reach, where a bayou came in from the north, the river made a shallow bend, east, north, east, south and east. Another and deeper left bend carried it through a semicircular course today known as Lake Dumond,²⁴ which snuggles its back against the western edge of that other peninsula on the southern brow of which Tonti's Arkansas Post had stood looking southward across the river.

Continuing from the lower end of what is now Lake Dumond the river took a straight course of five miles southwestward. The bend that sent it eastward again on a 5-mile journey to the forks can still be seen in the lines of swamp that cause State Highway No. 1 to dip southeastward through Sections 13 (T9S, R3W) and

¹⁹ *Ibid.*, 121.

²⁰ La Harpe, in Margry, *op. cit.*, VI, 363, 380-382. Apparently one group of the Kappa accompanied La Boulaye or followed him immediately; five months later one Kappa village was noted as already established on the right bank of the Arkansas opposite and a good mile below La Boulaye's camp, which was just south of modern Arkansas Post village.

²¹ Charlevoix, *Nouvelle France*, III, 410.

²² Cf. *Alluvial Valley of the Mississippi River*, Red Fork and Big Island quadrangles.

²³ Margry, *op. cit.*, VI, 366 (La Harpe).

²⁴ A remnant of the "insulated channel" of Nuttall, *Journal of Travels*, 69.

16 (T9S, R2W.) On the western arc of this bend was the landing for the new Uzutiuhi village, which stood among its cornfields two and a half miles north of the landing and about two miles south of new Kappa.²⁵

A boat bound up the Arkansas to the Uzutiuhi landing and Law's concession would fight a dozen miles of bars and current between the landing and the mouth of the concession bayou. A passenger not needed at the paddles or the poles might disembark at the landing, walk two and a half miles through cultivated fields to the Uzutiuhi village and another two miles to new Kappa. Hence an Indian pirogue would carry him more than a mile up the river to Lieutenant de la Boulaye's camp on the river's left bank at the bayou's mouth²⁶ and a third of a mile up the bayou to the concession landing. In seasons of high water the bayou route would extend itself 600 yards farther to dry land²⁷ beyond flooded acres of the forest that everywhere bordered the river. Elsewhere the forest stretched unbroken in dark miles back from the river bank, but at this one point the light of day had invited colonists to establish their colony. A path extending 1200 yards (in high water, 600 yards) from the bayou landing led through forest to the edge of Grand Prairie.²⁸ Here eighty Germans came to the end of the trial that had led them from Lorient, if not to the end of their troubles.

No plows known to the eighteenth century could break prairie sod. Working painfully with hand tools the Germans set about preparing land for cultivation at the prairie's edge and building twenty temporary huts in which to shelter themselves for the winter. Eight months of work yielded two and a half English acres of arable field.²⁹ Not the entire force of the colony engaged itself in this labor, since lack of food at Biloxi Bay had warned John Law's resident agent that he ought not trust too much to

²⁵ La Harpe (year 1722), in Margry, *op. cit.*, VI, 362, 364; Dumont de Montigny (1722), *op. cit.*, 119, 121; Inspector-General Diron (1723), in Mereness, *Travels*, 55-56; Pierre de Vitry, "Journal" (1739), in *Nova Francia*, IV (1929), 149. Collation of these texts produced the result as stated above before confirmation was gained through examination of Saucier's *Carte Particulière*. Saucier had first hand knowledge of the Arkansas through his visit of 1738; cf. Bernard de Vergès, *Mémoire sur la Carte de la Louisiane*, June 10, 1740 (MS), 5 ff. recto, 5 ff. verso), Service Hydrographique, Archives, 67-2, No. 16, folio 4.

²⁶ Dumont de Montigny, *op. cit.*, 121; La Harpe, in Margry, *op. cit.*, VI, 362. Both Dumont and La Harpe regard Uzutiuhi and new Kappa as forming one village.

²⁷ La Harpe, in Margry, *op. cit.*, VI, 364.

²⁸ Dumont and La Harpe become intelligible upon comparison. Diron, in Mereness, *op. cit.*, 56, conflicts with them only in the distance of one quarter-league instead of one half-league between new Kappa and the bayou mouth, but by the time of Diron's visit in 1723 new Kappa may have increased in population and occupied an extra half-mile of river bank. Grand Prairie now has an area of about forty square miles; narrow woodland separates it from the great northwest prairie. It is poorly drained and was unsuitable for eighteenth century use.

²⁹ La Harpe, in Margry, *op. cit.*, VI, 364.

the India Company. Twenty of the indentured male colonists he had released from their engagements;³⁰ he had sent them as freedmen to the old Uzutiuhi fields at Tonti's former post to prepare less difficult land and sow seed for next year's harvest.³¹ When La Harpe and Dumont arrived on March 1, 1722, they found living on the concession itself only 47 persons, including John Law's agent, the keeper of the storehouse, the surgeon and the apothecary.³²

Two months later a shipment of imported flour sent up the Mississippi by Governor de Bienville saved the Arkansas Germans from a second colonial starvation. Their own crop of 1722 proved scarcely enough for their own needs.³³ Lieutenant de la Boulaye and his soldiers, unwelcome intruders in their camp at the bayou's mouth and perhaps endangered there by high water, removed themselves to the higher land on the bank of the present Lake Dumond, where they built two huts.³⁴ There again they suffered a scarcity of supplies; about January 1, 1723, Lieutenant de la Boulaye sent a messenger on a hurried trip to New Orleans for help.³⁵ But the prospect for a crop in the coming season was good. In the spring months of 1723 many expectant farmers³⁶ joined the former bondsmen at Tonti's old post to make a crop for themselves and for the Illinois convoys. Only fourteen white men and six Negroes continued the task of maintaining the concession at the point to which John Law's agent had led them. Lieutenant Dumont had worked during a week in April, 1722, to lay out the streets along which houses of permanent construction should be built on Law's own acreage. This first attempt at city planning in Arkansas went for naught, since in 1723 only three huts remained standing on the concession.³⁷

³⁰ *Ibid.*, VI, 381.

³¹ Diron, in Mereness, *op. cit.*, 56. The absence of these men from the concession acreage gave rise to the legend, aided by Charlevoix, *op. cit.*, III, 140, and accepted by Le Conte, *op. cit.*, 8, and his authority, Deiler, that Law's colonists retreated immediately down the Mississippi and created the German Coast settlements. The legend has exerted such force as to cause a modern historian to misread one of the manuscripts in the reading of which she specialized: *font partie* of text cited in note 13, above (photocopy in Illinois Historical Survey), misread as *sont partis* by Nancy Maria Miller Surrey, ed., *Calendar of manuscripts in Paris archives and libraries relative to the Mississippi Valley to 1803* (2 v.; Washington, 1926), I, 437.

³² La Harpe, in Margry, *op. cit.*, VI, 364.

³³ Cf. Heinrich, *op. cit.*, 130.

³⁴ Diron, in Mereness, *op. cit.*, 56. Le Mascrier, *Memoire Historique*, I, 68, attributes to Dumont a description of Arkansas Post that he did not find, however, in Dumont's manuscript and that applies only to the camp of La Boulaye and the freedmen at Lake Dumond. Le Mascrier's text is as follows: "There is no fort in this place. There are to be found only four or five houses built of vertical poles, a little barracks and a hut that serves as a storehouse."

³⁵ Mereness, *op. cit.*, 49.

³⁶ *Ibid.*, 86.

³⁷ Dumont de Montigny, *op. cit.*, 121; Mereness, *op. cit.*, 56.

With La Harpe and Dumont a director, Dufresne, had arrived in March, 1722, sent by the Company to take over administration from Law's agent.³⁸ John Law, even if he had had money to protect his speculation, was unwilling now to acknowledge further responsibility toward the Germans whom he had lured to the wilderness.³⁹ The Company in France one year later freed itself from bankruptcy and again assumed the administrative duties that royal commissioners had fulfilled during the past three years. But the wars of the late Grand Monarque and the economics of John Law and the Regency had brought France itself to a point not far short of bankruptcy. On September 7, 1724, the French government and the Company reduced expenses by reducing by one-half the colonial army of Louisiana.⁴⁰ Boisbriant, Bienville's cousin, was called from the Illinois late in that year to be acting governor in New Orleans in succession to Bienville.⁴¹

The Company extended the new French policy of thrift. In December it ordered its Louisiana property to be sold.⁴² It ordered Lieutenant de la Boulaye's garrison to be withdrawn from the Arkansas; a missionary, it thought, would be able to hold the peaceful Quapaw to the pursuit of peace, and no other need of force or persuasion seemed to exist on the Arkansas.⁴³ It ordered that shipment of merchandise to the posts up Mississippi River should be sharply reduced to save expense of transport; residents of the Arkansas and of other posts and concessions must go down to New Orleans if they wished to buy goods.⁴⁴

Uzutiuhi old fields had yielded to Arkansas freedmen an abundant crop in the season of 1724. Yet now no great squadrons would pass up and down the Mississippi to make use of Arkansas grain or to carry away dried buffalo beef, suet and bear's grease taken in trade from the Quapaw. No boats existed for transporting grain to New Orleans, and no men for bringing heavy bateaux up the river again. The German Coast, with quadruple the white population of the Arkansas to work old Indian fields on the Mississippi banks,⁴⁵ could better meet the demands of New Orleans and its static population, only thirty miles down

³⁸ La Harpe, in Margry, *op. cit.*, VI, 364; Dumont de Montigny, *op. cit.*, 121.

³⁹ John Law, in Daire, *op. cit.*, 602.

⁴⁰ Charles Etienne Arthur Gayarré, *History of Louisiana* (4 v.; New York, 1851-1866), I, 370; Alvord, *The Illinois Country*, 159-160.

⁴¹ Alvord, *op. cit.*, 156-157.

⁴² The Company's cattle were not sold but were given to the settlers of the German Coast: Council of Louisiana to Council of the Indies, May 20, 1725, ANC, C¹³A, 9:140-140v.

⁴³ Heinrich, *op. cit.*, 169.

⁴⁴ Alvord, *op. cit.*, 158-159.

⁴⁵ Notes annexed to census of Nov. 24, 1721, ANC, G¹ 464.

the current. Early in 1725 Bienville could see no possibility of continuing a farming community on Arkansas River.⁴⁶ Governmental economy destroyed John Law's colony at the moment when it had attained to success.

Bienville protested the proposed withdrawal of armed force from the north, where rather an extension of force was needed to prevent British encroachment. The colonial council protested that a missionary sent to any forest post could not live on the official allowance of 600 livres a year, since his expenses would exceed that amount and he would have no other income.⁴⁷ Moreover, neither the Canadian and Jesuit missions of the upper country nor the new Capuchin mission of New Orleans had any member to spare for an intermediate station. The council asserted on February 27, 1725, its unreadiness to obey Company orders to abandon the Arkansas,⁴⁸ where Bienville at the end of his term of office was thinking that at least a detachment of eight men should be retained.⁴⁹ Yet in France in March the Company ordered its new governor, Perier, to withdraw the garrison from Yazoo River when a Jesuit missionary should arrive there and in any case to abandon the Arkansas.⁵⁰ Lieutenant de la Boulaye separated himself from military service and established himself as a planter, though not on Arkansas River.⁵¹

Early in 1726 the Company effected a contract with the Jesuit order making provision for missionaries for Louisiana. One of the first three priests disembarking at New Orleans early in the following year was destined to the Arkansas.⁵² On July 7, 1727, the reverend Father Paul du Poisson took up his residence in a cabin 400 yards distant from the site that Lieutenant Dumont had planned as a city.⁵³ Instead of the inadequate 600 livres, the Company under contract allowed him for the first few years an annual 800 livres, which it duplicated for each other member (including the superior) of the new Jesuit mission

⁴⁶ Bienville, in Rowland and Sanders, *Mississippi Provincial Archives, French Dominion*, III, 513. This memoir must be dated later than receipt of the Company's letter of Dec. 6, 1724, and well before Jan. 1, 1726, the New Orleans date of the census cited below.

⁴⁷ ANC, C¹³A, 9:142.

⁴⁸ Rowland and Sanders, *op. cit.*, II, 411.

⁴⁹ *Ibid.*, III, 513. Of Bienville's text beginning on page 526 a contemporary manuscript copy is in the Ayer Collection, Newberry Library.

⁵⁰ Heinrich, *op. cit.*, 193.

⁵¹ Rowland and Sanders, *op. cit.*, II, 539-540.

⁵² Heinrich, *op. cit.*, 195; Jean Delanglez, *The French Jesuits in Lower Louisiana, 1700-1763* (Washington, 1935), 434.

⁵³ Thwaites, *op. cit.*, LXVII, 258-259; Delanglez, *op. cit.*, 430-431.

in Louisiana.⁵⁴ Later in 1727 a lay brother arrived to keep Father du Poisson company, but in the summer heat of 1729 he died of sunstroke.⁵⁵

Father du Poisson estimated at about thirty the number of white residents at his mission, communicants for the most part,⁵⁶ among whom the men earned their living by trade with the Indians. There were no soldiers to come when Father du Poisson said mass. In the year 1729 the French armed forces on the Mississippi, from Natchez to the Illinois inclusive, consisted of ninety men in all; the government assigned the greater part of these to the Natchez, but none to the Arkansas.⁵⁷ At Natchez late in that year Father du Poisson stopped on his way to New Orleans. At Natchez Father du Poisson perished in the attack that Indians made upon the garrison and the few civilians there.⁵⁸

The Natchez massacre began serious warfare between red men and white men on the lower Mississippi after years of Indian warfare in the upper country. Chickasaw at the east, Osage at the northwest, were to harry the peaceable Quapaw, but for the most part the quarrels of the tribes would pass the Quapaw by and leave to epidemic disease the destruction of that nation. The German settlers of the Arkansas had departed in 1725 to refuges farther down the Mississippi.⁵⁹ By the end of that year few names possibly of German origin could be reported in the census of the Arkansas, though some Germans (perhaps many) had become *voyageurs* or traders *dans la rivière* and thus escaped being named by the censustaker. The sieur Dufresne, whom the Company had sent to take charge in March, 1722, still remained at the post. The *habitants* were three married men, Pierre Douy, Baptiste Thomas and one St.

⁵⁴ Mission des Jesuites, annexed to Etat des Dames Religieuses Ursulines (originally transmitted with letter of Perier, Nov. 1, 1728), ANC, D²D, 10: n. p.

⁵⁵ Delanglez, *op. cit.*, 437.

⁵⁶ Thwaites, *op. cit.*, LXVII, 260-261.

⁵⁷ Heinrich, *op. cit.*, 235. The distribution of troops was not carried out to accord with the intention cited by Heinrich.

⁵⁸ Delanglez, *op. cit.*, 251; *Relation de la Louisiane*, 52-53. The latter title is given arbitrarily to a bound manuscript in the Ayer Collection, Newberry Library, of which the binder's title, mutilated, survives as *Relat . . . de Kened. . .*

⁵⁹ Fear of Indian raids caused the German Coast to decline in population. In a memoir made up in France on Louisiana data of 1746 (which Gayarré, *op. cit.*, II, 27, 28, presents as a census of 1744) the white residents are estimated at about 100; the German Coast census of 1749, signed by Darenbourg, shows forty-four male white residents of mature age and nineteen *jeunes gens*; the number of women and girls is not given: *Mémoire sur l'Etat de la Colonie de la Louisiane en 1746*, ANC, C¹⁰A, 30:256, another copy in *Affaires Etrangères* (Paris). *Mémoires et Documents, Amérique*, II, 211; *Etat des Habitants aux Allemands estant Existants fait le 7 fevr 1749*, Loudon Papers No. 165 (MS.; Huntington Library, San Marino, California, negative photostats in Illinois Historical Survey.)

François, and seven bachelors, Poiterin, Montpierre, Jean Mignon, Jean Hours, Jean Le Long, Bartelemias and Noguès. All were poor and made their living in the Indian trade. The names of their *engagés* or white hunters, completing Father du Poisson's total of fourteen men, are not included in the record.⁶⁰ Thus precariously the settlement on the Arkansas maintained its continuity from the end of Louisiana's speculative era until a new and military era should begin.

CHAPTER IV. THE ROAD TO THE CHICKASAW

The India Company wearied of its attempt to administer an American colony and in January, 1731, gave up its charter. King Louis XV prepared to take charge of Louisiana in July. Governor Perier was on his way early in the year to punish the murderous Natchez tribe in their refuge beyond the Tensas Basin when news came to him from the north that his commandant of the Illinois and the commandants of neighboring Canadian posts had destroyed the Fox tribe, most troublesome outlaws of the Great Lakes. Returning from victory at Sicily Island, Perier felt that Frenchmen again controlled the Mississippi Valley.¹

Despite British influence among the Chickasaw Henry de Tonti in 1702 had brought into a treaty with the French and among themselves various warring tribes of the Mobile Valley, including the Choctaw and their kinsmen the Chickasaw.² The Choctaw remained as unsteady allies of the French, but the Chickasaw in their village (Pontotoc County, Mississippi) six or seven day's journeys southeast of the lower Chickasaw Bluff deserted the French, the Choctaw and the treaty and returned to alliance and trade with British Carolina. A few Natchez now had found refuge among them, increasing hostility toward the French. It was seen as necessary to reduce the threat of the Chickasaw.

Only three officers and a handful of troops and militia were maintaining the three posts in the Illinois Country. Not until 1733 did the French government increase the Illinois force to a total of 150 troops, but earlier treatment was accorded to the ungarrisoned Illinois dependency on the Arkansas, the Mississippi

⁶⁰ Census of Jan. 1, 1726, ANC, G¹ 464.

¹ Stanley Faye, "The Foxes' Fort," in *Illinois State Historical Society, Journal*, XXVIII (Oct., 1935), 123-163.

² Margry, *Relations et Mémoires Inédits*, 4.

Valley post nearest to the Chickasaw. The statement of colonial disbursements for 1731 includes no item for an officer or garrison on the Arkansas and no item for a priest there. The budget for 1732 provided a salary of 600 livres for a new Arkansas commandant and 480 for a barber-surgeon. Salary of a missionary was to be paid from the lump sum of 7,000 livres assigned for that year to the Jesuit order.³

The sum of 600 livres, the minimum paid to any commandant, was little enough except at a post like the Arkansas, where officers and men could increase their incomes by Indian trade. It fell not far short of the 700 livres in salary paid to a lieutenant. It was officially a *supplement d'appointements* consisting of a bonus (*gratification*) in addition to salary (*appointements*), since First Ensign de Coulange, whom Governor Perier sent to the Arkansas late in 1731,⁴ would have received a salary of only 480 livres a year, equal to an army surgeon's pay, if he had served as a subaltern at a larger post. The detachment that he commanded was of similarly modest proportions; to meet possible attack by the Chickasaw the governor assigned to Coulange only twelve men.⁵

French influence exerted by the new commandant among Quapaw warriors, whom he numbered at 300, made itself evident in June, 1732, when a band of Quapaw returned from battle with wandering Chickasaw. Two of the enemy they had killed. Another they brought with them alive, to be burned to death in one of their villages. Reporting this affair, Ensign de Coulange asked that a stockade should be built on his Arkansas camp site, not only for the sake of his garrison but also as a refuge for Quapaw women and children if in the absence of their warriors the Chickasaw should descend upon them. The ordonnateur in New Orleans found it impossible in that month of June to send goods to Coulange as a first grateful present to the Quapaw and to pay for Chickasaw scalps.⁶

The ordonnateur sent also food supplies, but when the next spring convoy from Illinois reached New Orleans on May 20, 1733, six weeks late, his store of flour could not be replenished. The dry season of 1732 had stunted all crops of the Mississippi

³ ANC, F¹ 30:333.

⁴ Cf. Rowland and Sanders, *Mississippi Provincial Archives, French Dominion*, I, 164.

⁵ Salmon to the minister, July 21, 1732, ANC, C¹³A, 15:177-177v.

⁶ *Ibid.* Salmon appears to think (wrongly) of 300 persons as composing the total Quapaw population; cf. Mereness, *Travels*, 57.

Valley, including the crop of Illinois wheat on which New Orleans and the lower posts depended for flour. Coulange had retained 6,000 pounds of Illinois flour to feed his soldiers and *habitants* (and perhaps to provide hardtack for the next upgoing convoy), and Natchez had requisitioned most of what remained.⁷ New Orleans that summer ate cornbread. Coulange could rejoice when he learned that his bonus in excess of salary would be continued.⁸ He could feel a novel disquietude upon learning that not Chickasaw from the east but Osage from the northwest had killed Quapaw hunters on the upper Arkansas.⁹ He could not know that a secret alliance just formed between France and Spain might help to prevent any offensive from the southwest. In that year 1733 Louisiana colonists learned with mixed emotions that their former governor, Jean Baptiste Le Moyne de Bienville, was returning to succeed Perier.

Too great confidence in his position persuaded Coulange in early autumn to put aboard the upgoing Illinois convoy some merchandise of private ownership in place of the gunpowder that was intended for Illinois use in a grand expedition projected against the Chickasaw. Upon learning of this presumption Bienville relegated the ensign to the Illinois and, according to old Le Moyne habit, chose a relative of his own, First Ensign Jean Ste. Thérèse de Langloiserie of the Illinois, as successor in the profitable Arkansas.¹⁰ The new commanding officer found that his predecessor had improved the Arkansas Post with four buildings. One (for the commandant) was a house built of logs laid horizontally, 18 by 32 feet, raised above the ground, the floors and ceilings of its three rooms composed of cypress planks; a mud fireplace served the kitchen-living room only. Logs likewise formed an 8 by 10 foot powder magazine, likewise raised above the ground. The post's jail enjoyed the same dimensions, but poles thrust into the earth in Indian fashion composed its construction. Of the same indigenous nature was the barracks for twelve men, measuring 16 by 40 feet. Bark covered the roofs of all four buildings and the walls of two.¹¹ Since no storehouse

⁷ Salmon to the minister, May 20, 1733, ANC, C¹³A, 17:147-147v.

⁸ Minister to Bienville, Sept. 9, 1732, ANC, B, 57:845-847.

⁹ Rowland and Sanders, *op. cit.*, I, 201.

¹⁰ Gayarré, *History of Louisiana*, I, 469-470; Bienville and Salmon to the minister, April 8, 1734, ANC, C¹³A, 18:84v; Alvord, *The Illinois Country*, 204.

¹¹ ANC, C¹³A, 18:84v-85. The word read as *grange* and translated as *barn* in Rowland and Sanders, *op. cit.*, III, 665, is *prison* in the archive manuscript.

was provided, the spaces beneath the gables was used for storing such trade goods as could not find place in one of the commandant's three rooms.

From the Arkansas and from all other posts in the Mississippi Valley, French were ordered and Indians were persuaded upon the expedition against the Chickasaw villages, which took place early in 1736. In the course of it Ensign de Coulange, accompanying Illinois troops, lost his life. The Arkansas warriors who were to have joined the Illinois French and Indians at the mouth of Wolf River came too late to be of much help. Victory crowned the standards of the British allies, and the French retired to plan a greater expedition in a later year. So Bernard de Vergès, an engineer officer from New Orleans, arrived at the Arkansas Post on October 21, 1737, preparing to survey the road to the Chickasaw. Eleven months later, in company with François Saucier and other officers, he paid a second visit there, preparing to make a second survey.¹²

The officer found the Uzutiuihi and Kappa villages holding the positions they had held in the time of John Law's colony. The Torimans village, perhaps including remnants of Tonginga, stood near Arkansas River's right bank where the river entered the bend now known as Lake Dumond. Ensign de Coulange had built his post opposite the Kappa village.¹³ Twelve men under command of Ensign de Langloserie formed the military force of the garrison, housed in the buildings that Coulange had built and perhaps protected by such a stockade as Bienville in 1734 had acknowledged as necessary to surround the barracks only. French hunters and traders and their families and the reverend Father Avond, a Jesuit missionary, completed the number of whites.¹⁴

If Spaniards instead of French had founded the Arkansas Post the missionary would have occupied one of the best houses in the settlement. Father Avond's fortune in French misery differed little from that of Arkansas laymen in his time except that he could afford even less often a replacement of cypress bark. The Jesuit chaplain accompanying Devergès and Saucier refrained from comparison when he described only the bark-

¹² Devergès, *Mémoire sur la Carte de la Louisianne*, ff. 1, 2; Devitry, *Journal*, 149.

¹³ Saucier, *Carte Particulière*; Devitry, *op. cit.*, 149. Since the post in any case was not readily accessible as a Quapaw refuge, it may be that Coulange set it on the higher elevation of the upland (Law's concession) rather than at La Boulaye's riverbank camp site of 1721.

¹⁴ ANC, C¹³A, 18:85; Devitry, *op. cit.*, *loc. cit.*

covered and too well ventilated hut that charity lent to half shelter a member of his confraternity.¹⁵ The 600 livres a year that the French government continued to allow the Jesuit order for its Arkansas mission¹⁶ bought only the barest living for Father Avond, who perhaps therefore embraced the more eagerly an opportunity of joining his Quapaw on the Chickasaw expedition in 1739.¹⁷

The Quapaw in their raids upon the eastern enemy had accustomed themselves to follow not the traditional road to the Chickasaw up Wolf River from the lower Chickasaw Bluff, but a road of their own. This led from a point on the contemporary Mississippi channel five miles above and opposite the St. Francis mouth. Here was the head of a bayou that led northeastward across the lowland to a junction with Buck Island Bayou; thence the route continued directly eastward to the junction of Buck Island Bayou and Coldwater River at the edge of the upland (at modern Prichard, Mississippi); thence it proceeded overland south of east to a crossing of the Tallahassee and on, southeastward, toward the village sites on the upper Tombigbee.¹⁸ Quapaw warriors thought it proper to go straight on their pedestrian way to their destination.¹⁹ Serving as guides to French engineer officers in 1737, 1738 and 1739 they had no patience with French desire to find out a way through the lowland practicable for bateaux from the river. In one case they deserted the French officer whom they were guiding.

Two dozen Quapaw volunteered to come early in 1739 to the temporary French fort 500 yards within the St. Francis mouth, to hunt and to bring in meat for the troops that, later in the year, assembled there from Lower Louisiana, Illinois and Canada. Other Quapaw followed in July. On October 10 men in a newer fort at the Chickasaw Bluff saw arriving a commandant of Canada with Christian Iroquois in seventy-six bark canoes.²⁰ On December 22 seventy more Quapaw appeared with

¹⁵ Devitry, *op. cit.*, 149. In Delanglez, *French Jesuits*, 438, the passage translated from Devitry describing the construction of the hut includes the expression "splinters of wood," which in the original is *Eclats d'arbres*. The word *éclat*, originally meaning a piece of split firewood, had become obsolete except in popular speech with the meaning of "stick." The word *couverture*, translated by Delanglez as "roof," should rather be "covering," since it applied to bark on the sides as well as on the top of Father Avond's Indian lodge.

¹⁶ Estimate of expenses, April 22, 1742, statement of expenses, June 9, 1743, ANC, C¹¹A, 115:28, 56.

¹⁷ Devitry, *op. cit.*, 152.

¹⁸ Saucier, *Carte Particulière; Devergès, Mémoire*, ff. 1, 2v. Today the line of drainage in this bottomland is north-and-south instead of east-and-west.

¹⁹ Devergès, *op. cit.*, f. 5.

²⁰ Devitry, *op. cit.*, 149, 153, 154-155.

their commandant, Lieutenant Jean-François Tisserant de Montchervaux. Superstitions deterred the snake worshipping Quapaw from fraternizing or even camping with the northern Indians. Especially the Quapaw feared or distrusted the Canadians; all Iroquois were reputed to speak with the crafty tongues of serpents, and the Iroquois kinsmen, the Huron, were traditional enemies of the Quapaw. As Lieutenant de Montchervaux's savages waited during December and January their uneasiness waxed and became too much for endurance. The Quapaw deserted the expedition, went home to the Arkansas²¹ and thus escaped a part in the second defeat that the Chickasaw enemy inflicted in the spring upon the most powerful force that French America could bring against them.

Before the last contingent of Quapaw had joined the French allies at the Chickasaw Bluff the British government far away in England declared against Spain a war that one year later extended itself when France, Spain and Prussia declared against Austria the war known as that of the Austrian Succession. In 1742 Britain and the Netherlands joined Austria as allies, but without declaring against France. France did not clear away this confusion by declaring against Britain until the spring of 1744. Presuming upon peaceful relations four Englishmen of New York and one New York Dutchman in two bark canoes came down the rivers on the spring rise of 1743 carrying with them written authorization from an official of Albany to trade with Indians. They had reached a point only fifteen leagues above the Natchez when a scandalized French convoy captured the trespassers and carried them to the governor in New Orleans.²² Guillaume and his wife, residents of Arkansas Post, soon fell in with armed forces of a different character.

Guillaume was a trader who lived to be one of the oldest inhabitants of the Arkansas, but on May 7, 1743, he had reason to fear that he might not live so long. Accompanied by his wife, by an *engagé* Carignan and by six other *engagés*, Guillaume was paddling up the Mississippi when, not far below the Arkansas mouth, a band of Chickasaw fell upon the party. One Frenchman met death straightway; the other men were taken prisoners, but Guillaume's wife escaped on the Mississippi right bank. The

²¹ John Dawson Gilmary Shea, ed., *Journal de la Guerre du Micissippi* . . . (New York, 1859), 62; 69, 75.

²² Louboey to the minister, Mobile, Aug. 2, 1743, ANC, C¹³A, 28:158v-159. Louboey was ill when he wrote; he dated his letter Aug. 2, 1742, but on receipt in France it was marked as of 1743.

Chickasaw carried Guillaume and the surviving *engagés* to the left bank, where Guillaume also escaped. While Guillaume was returning to his wife and to Arkansas Post, the captors led six French captives to the Chickasaw villages on the Tombigbee. There the Frenchmen found awaiting them a fate different from what they may have been expecting. For years the Chickasaw had wavered between their British alliance and a desire for peace with their Indian neighbors. Now they intended that a member of Guillaume's party should become a messenger to carry to the French colonial government their petition for a treaty of peace. Since the *bourgeois* was gone, they chose the *engagé* Carignan as their ambassador to the commandant of the Alibamous Post (near modern Montgomery, Alabama).²³

Yet the Chickasaw did not follow this overture with negotiations for the treaty that on impulse they had asked. Entrance of France into war with Britain made necessary a renewed French offensive against the British allies before those allies themselves might take the offensive. Lieutenant de Montchervaux of the Arkansas persuaded the Quapaw in 1744 to send out a small attacking party.²⁴

Montchervaux had received his lieutenancy in the year of the first French expedition against the Chickasaw.²⁵ He was the son of a Louisiana official,²⁶ perhaps that Tisserant who was once keeper of the storehouse at Natchez.²⁷ One of that name was about to earn a reputation for poor military judgment,²⁸ but no imputation of the sort was ever made against Tisserant de Montchervaux of the Arkansas, where the wartime garrison now rated a lieutenant as commander. At Arkansas Post Montchervaux had a wife and several children,²⁹ and he supported his family on his army pay and such small Indian trade as he could effect in fair competition with other traders. His Arkansas accounts he kept free of items that the ordonnateur in New Orleans might question. He had two faults: he drank a bit too much and (according to a later governor) he did not too well know how to fill Indian allies with enthusiasm for raids on Indian enemies.³⁰

²³ Vaudreuil to the minister, July 29, Sept. 25, 1743, Feb. 12, 1744, ANC, C¹³A, 28:73v-74v, 86v-87, 199; Loubouey to the minister, Sept. 24, 1743, ANC, C¹³A, 28:161-161v.

²⁴ Vaudreuil to the minister, Dec. 24, 1744, ANC, C¹³A, 28:251.

²⁵ Annotated list of senior officers, 1746, ANC, D²C, 51:181-196v.

²⁶ Kerlérec to the minister, May 21, 1759, and enclosure, ANC, C¹³A, 41:69-69v, 243.

²⁷ Dumont de Montigny, *Mémoire* (MS.), 151.

²⁸ Gayarré, *Louisiana*, II, 43-44.

²⁹ Cf. Delanglez, *French Jesuits*, 439; Theodore Calvin Pease and Ernestine Jenison, eds., *Illinois on the Eve of the Seven Years' War, 1747-1755* (Springfield, 1940), xliii note, 272-273.

³⁰ ANC, D²C, 51:181-196v; Kerlérec to the minister, July 18, 1754, ANC, C¹³A, 38:91.

Warfare in Lieutenant de Montchervaux' Mississippi Valley had made necessary almost everywhere an increase of white troops. The posts of the Illinois included, in 1747, thirteen officers and 135 soldiers, the effective personnel of three companies.³¹ In the previous year it was recorded that Dr. Prat and seven other civilian householders with their families and their fifteen Negroes were guarded at Natchez by a company that would have contained fifty men at full strength. On the Arkansas a dozen white traders and tobacco farmers with their families and ten Negro slaves, not counting a changing number of French hunters, shared the settlement with twenty soldiers in place of the former twelve. From the 300 Quapaw warriors reported in the time of Ensign de Coulangue the estimate of 1746 reduced the number to 250.³² Arkansas chieftains visiting the new governor in New Orleans brought five Chickasaw scalps in earnest of their good will and in the following winter brought two others. The governor so well exhorted them, and the Chickasaw so enraged them, that late in 1749 the number of scalps had increased to twenty-five or more.³³

The new governor, the Marquis de Vaudreuil, was a native Canadian like ex-Governor de Bienville. He approved warmly of Lieutenant de Montchervaux and recommended him for a captaincy, which was accorded to the officer as of December 1, 1747.³⁴ Like Bienville the new governor approved even more warmly of his own relatives. Coming to Louisiana in 1743 Vaudreuil found there a 23-year-old Canadian kinsman,³⁵ Second Ensign Louis-Xavier-Martin de Lino de Chalmette, whom he recommended three years later as First Ensign. "This officer," the governor wrote in 1746, "is quite exact in all his duties, is suitable for any kind of assignment, is capable of detailed work and possesses all the sentiments proper to an officer, joined to conduct without reproach."³⁶ Since even such words warmed the ministry only to the extent of authorizing a brevet rank, Vaudreuil made a second recommendation on December 1, 1747,³⁷ which resulted in pro-

³¹ Alvord, *op. cit.*, 192.

³² *Memoir on the State of the Colony* (1746), ANC, C¹³A, 30:249-250.

³³ Pease and Jenison, *op. cit.*, 10, 116.

³⁴ *Ibid.*, lxiii note.

³⁵ Michel to the minister, July 2, 1750, July 20, 1751, ANC, C¹³A, 34:315v, 35:327; Pease and Jenison, *op. cit.*, 492n.

³⁶ ANC, D²C, 51:189-196v.

³⁷ Proposals concerning the officers of Louisiana, Dec. 1, 1747, ANC, D²C, 51: No. 3.

motion as of that date³⁸ and made Delino eligible to command of a post detachment.

Promotion of Lieutenant de Montchervaux to a captaincy necessarily removed that officer from a small post. In the autumn of 1748 Captain de Montchervaux went up to his new company in the Illinois commanding the convoy,³⁹ and First Ensign Delino undertook command on the Arkansas. A greater change was taking place in Europe, for in October the war of the Austrian Succession ended in the treaty of Aix. On November 10 Governor de Vaudreuil could report that the Superior Council of Louisiana had registered the royal ordinance for suspension of war against Britain, if not against the British Chickasaw.⁴⁰

One special problem among many confronted Ensign Delino as it had confronted his predecessors in command throughout the post's two-thirds of a century of interrupted existence. When Henry de Tonti sent Jean Couture and five comrades among the Quapaw with orders to establish a trading center, the French traders chose a site adjoining the Uzutiuihi village on the Arkansas rather than a site adjoining Kappa on the Mississippi or Torimans on the right branch, for it was to their interest not only to live beside a Quapaw tribe but also to live beside a tribe at the edge of the beaver country. Yet the fifteen miles of sandbars and swift current that lay then between the forks and Couture's log cabin made difficult the way to the post for Tonti's trade canoes from the Illinois. Tonti regretted too late that the post had been set so far inland.⁴¹ Coming in 1698 with Canadian canoes to receive the season's catch of beaver Tonti remained on the Mississippi, and pelts from Uzutiuihi village were brought to him there.⁴²

Twenty-three years later John Law's German colonists ascended the Arkansas even farther in order to build their huts at the edge of Grand Prairie. Lieutenant de la Boulaye, ordered from the Yazoo to the Kappa village, was unwilling to remain in so lonely a spot and followed the Germans. In 1722 Benard de la Harpe felt that a few German families and a few Negroes

³⁸ The officer signed as *De Lino* according to Pease and Jenison, *op. cit.*, 402n. Vaudreuil spelled the name *Du Linos* in his recommendation of 1746, as cited, and *Du Lino* in his recommendations of Dec. 1, 1747, and January, 1754, ANC, D²C, 51: Nos. 3 and 16, and in his letter to the minister, May 8, 1751, ANC, C¹³A, 35:94. It is respectively *Du Lino* and *De Lino* in Michel (ordonnateur) to the minister, July 2, 1750, July 20, 1751, ANC, C¹³A, 34:315v, 35:327. It is *Delino* in the census of Arkansas Post, 1749, Loudon Papers, 200.

³⁹ Pease and Jenison, *op. cit.*, 160, 228.

⁴⁰ ANC, C¹³A, 32:23.

⁴¹ Joutel, *Remarques*, 7v.

⁴² Kellogg, *Early Narratives*, 360.

should be sent back with La Boulaye's detachment to reestablish a port or transfer point for the convoys at the Kappa village on the Mississippi.⁴³ In 1729 Father du Poisson went to his death when he was intending to go to New Orleans full of a project for removing the Quapaw to the old Kappa village site or elsewhere on the great river for the sake of the convoys. Ensign de Coulange in 1731 found it as much his duty to influence the Quapaw as to await the passage of convoys and first camped and later built his post opposite the Kappa village and adjoining John Law's former concession.

In the time of Montchervaux a halfhearted attempt to remedy the situation by compromise resulted in removal of the post to a point on the right bank between the forks and the river mouth, perhaps five English miles or so below the contemporary White River cutoff and about twice that distance from the Mississippi. Some five miles below the post, on the left bank,⁴⁴ and some five miles above on a former right bank, prehistoric mounds still testify to a prehistoric population. In this region tradition was to preserve vague and inaccurate memories of the only French post that in fact ever stood below the Arkansas forks.⁴⁵ Montchervaux deserted the safe 175-foot elevation of Law's old upland concession, went down past the unsafe 160-foot elevation of the bend now called Lake Dumond and chose a site in a plain where no elevation above 155 feet may now be found. Nearly one and one-half centuries afterward the evidences of his post occupying an arpent, or three-quarters of an English acre, of land revealed to an archaeological surveyor the difficulty into which the commandant brought himself, for Montchervaux found it necessary to enclose the area of his fort with a parapet levee, which after floods of the centuries had submerged it was still four feet high.⁴⁶ The Quapaw followed Montchervaux but only to a point some distance above the new post,⁴⁷ though conveniently near to the source of French trade goods and the security of the fort.

⁴³ Margry, *Découvertes*, VI, 364.

⁴⁴ Academy of Natural Sciences (Philadelphia), *Journal*, volumes 13 and 14, text and maps.

⁴⁵ The site should be found on the west bank of Smith Lake. Tradition expressed in Nuttall, *Travels*, 76, 226, and map, indicates the bank of Emerson Bend, two miles southeast, or that of Lake Pelican, three miles below Emerson Bend.

⁴⁶ *Arkansas Historical Publications*, IV (1917), 401. Pittman, *Present State of the European Settlements*, 40, includes a secondhand description of this post and represents it as a description of the post of the late 1760's, which was on Lake Dumond.

⁴⁷ Herbert Eugene Bolton, *French Intrusions into New Mexico*, reprint from H. M. Stephens and H. E. Bolton, *The Pacific Ocean in History* (New York, 1917), 394. The old Torimans site is indicated.

In the years of British war with Spain, beginning November 4, 1739, the colonial trade of France had suffered on the seas with the colonial trade of her Spanish ally. Louisiana felt a shortage of supplies and especially of her most precious article of Indian barter, gunpowder, because of British fear that the ultimate destination of French munitions travelling the high seas to Louisiana might be the neighboring colonies of Spain.⁴⁸ When France entered the war in 1744 colonial poverty grew worse. During the next five years and more no funds were to be found in Lower Louisiana for repairs of government buildings, already in want of repairs in 1744. By the end of the war in 1748 "improvements" on the king's Louisiana real estate had turned themselves into ruins. A new ordonnateur coming to New Orleans in that year feared for his life in the tottering house that was his official place of residence and removed himself into a rented dwelling. If the Arkansas Post stood in ruins its condition was little worse than that of all other military posts in the colony.⁴⁹

Captain de Montchervaux had bequeathed to Ensign de Lino not only a ruinous post, but a parapet levee and twenty soldiers. An official interpreter remained, but there was no keeper of the stores. The garrison of twenty men did not wait for official orders to become twelve again, for the advent of Ensign de Lino saw the departure, by desertion and otherwise, of soldiers enough to reduce the garrison to its normal peacetime strength. One deserter was the barber-surgeon and post tailor, whose place Ensign de Lino did not succeed in filling.⁵⁰

The new commandant owned one of the three horses at the Arkansas. His childless wife directed the labors of three Negroes, who in turn directed the labors of one yoke of oxen and cared for four cows. Linctot, an old resident,⁵¹ was the most prominent *habitant*, with a household including two women, five children, seven Negroes, one horse, one ox, four cows and ten pigs. Flamant, who may have been one of John Law's Germans acting as interpreter,⁵² and La Froray were not resident in the latter part of that year, nor were their families, but their oxen and cows remained. Guillaume and his childless wife, survivors of their Chickasaw

⁴⁸ Louboey to the minister, Aug. 2, 1743, ANC, C¹³A, 28:168.

⁴⁹ Vaudreuil to the minister, Aug. 3, 1749, ANC, C¹³A, 34:28-30v.

⁵⁰ Cf. Delanglez, *French Jesuits*, 442-443.

⁵¹ Cf. Macarty to Vaudreuil, Jan. 20, 1752, in Pease and Jenison, *op. cit.*, 432; Layassard to Desclouseaux, Feb. 5, 1758, ANC, C¹³A, 40:311v.

⁵² The census of Louisiana, Jan. 1, 1726 (ANC, G¹ 464), lists Adrien Flamant, a gardener by trade, living in New Orleans. A New Orleans merchant, Grevemberg Flamant, acted as interpreter between the governor and visiting Quapaw in 1759: ANC, C¹³A, 39: 177-180.

adventure, owned two Negroes, four oxen, six cows and three pigs. La Jeunesse, Bourg, Novin and Paul Mallet, all married men, completed the list of Arkansas farmer-traders in Ensign de Lino's year of 1748. The census of that year totalled 7 men, 8 women, 8 boys, 8 girls, 14 Negroes, 3 horses, 29 oxen, 60 cows, and 27 pigs. Guillaume's Carignan and fifteen other law-abiding *voyageurs* returned to the post after their hunting season. On White River stayed the *bourgeois* Francoeur with four *engagés* and on the St. Francis was Tourangeaux with three.⁵³

In the previous winter season, that of 1747-1748, a band of thirty-three French traders, perhaps from Arkansas Post, had made a journey to the west. At the beginning of the current season Ensign de Lino had ordered all *bourgeois* of Arkansas River to return to the post with their *engagés* upon completion of their customary winter's work *dans la rivière*. Yet a total of thirty-five men had not reported at the time of the census. With twenty-five *engagés* in their service the post commandant counted as still absent ten disobedient *bourgeois* named as follows: Brindamour, Pertuy, Michel Lalemant, a second Bourg, Gagnete, Jofrellon, Boye, Des Cautteaux, Bontemps and Paul Mallet's elder brother, Mallet *l'ainé*.

To a decrepit post slight in military strength but considerable in civilian population Captain de Montchervaux returned momentarily in the autumn of 1748 commanding his first of two successive Illinois convoys. To compensate for lean years of honesty at the Arkansas the governor had granted him this duty, which the new captain used, as was customary, for his own benefit. Expenses of the convoy seemed therefore to the new ordonnateur to be enormous. When enormous expense had duplication the next year the colonial guardian of commerce and the treasury complained in detail to the ministry in France. The largest convoy bateaux, of 40-ton lading, required each as many as twenty-four soldiers at the oars. The ordonnateur in 1749 made a sufficient provision of three bateaux, but only to find that Montchervaux again had laden the squadron in great part

⁵³ General Census [Arkansas Post], 1749, Loudon Papers 200. It is not revealed in what month the census was taken at the Arkansas. It appears probable that most of these persons were Canadians, as were the brothers Mallet. All names of *bourgeois* are French. Among the sixteen *engagés* named out of a total of forty-eight the only ones apparently of foreign origin are François Tehaklas, Bernard Sioux and Jaques Gaura. However, many of the other names are beyond doubt nicknames. The census does not show domestic relations of the hunters, whether *bourgeois* or *engagés*. One of the *bourgeois*, known by the nickname Brindamour, was married then or later, since in 1758 his widow, with knowledge of the Arkansas gained at first hand, was living in New Orleans: Layssard to Rochemore, Dec. 13, 1758, ANC, C¹³A, 40:340.

with merchandise that he had bought on credit for sale to his own profit in the Illinois. If the ordonnateur had not found available a fourth boat and crew, supplies shipped for use of the Illinois garrison would have been left behind. Montchervaux and his companion of voyage, La Gautrais, superintendent of lead mines in the Illinois Country, ruined discipline by drinking with the enlisted men and committing similar disorders in the river posts where they stopped on their way. The best that could be said of them was that they had not traded at those posts in competition with resident traders.⁵⁴

In the winter of 1747-1748, before Captain de Montchervaux had resigned his command to Ensign de Lino, epidemic disease had ravaged Mississippi River tribes and diminished the number of Quapaw⁵⁵ to include only about 225 warriors. To this affliction Arkansas River added another in a spring flood that perhaps washed the post further toward ruin and certainly ruined the Quapaw fields nearby. The Quapaw retreated to their old home, five leagues or so above Ensign de Lino's ruinous post.⁵⁶

Therefore the Chickasaw chief Payah Matahah, coming with 150 warriors to attack the Quapaw on May 10, 1749, found no Quapaw in their accustomed fields. The enemy directed his attack upon the French settlement. The one ensign and the twelve soldiers of his garrison could not protect civilians in their homes. Civilians fled to safety in the fort, but not without the loss of six men killed and eight women and children captured. The Chickasaw made no attempt to besiege the fort. When three of their own men were killed and Payah Matahah gravely wounded they retired with eight women and children as captives. Six Frenchmen had died in the battle, or after it.⁵⁷

⁵⁴ Pease and Jenison, *op. cit.*, 157-160, 228, 259, 271-273.

⁵⁵ Vaudreuil to Maurepas, March 20, 1748, ANC, C¹³A, 32:29.

⁵⁶ Same to Rouillé de Jouy, Sept. 22, 1749, ANC, C¹³A, 33:83v (translation in Pease and Jenison, *op. cit.*, 112.) Cf. Nuttall, *op. cit.*, 226. Comparison of Saucier, *Carte Particulière*, and modern maps previously cited, with contemporary quotations of distances on the river suggests strongly that until this time the confluence of Arkansas River and the White River cutoff was in or near a bend now called Yankopin Lake, four miles directly west of the present confluence, and that the great flood destroying the Quapaw fields established the channel from which the river in the seventeen miles above its mouth has since departed only by normal development of bends and cutoffs.

⁵⁷ James Adair, *History of the American Indians* (London, 1775), 319; Thwaites, *Jesuit Relations*, LXIX, 216-217; Vaudreuil to Rouillé, Sept. 22, 1749, in Pease and Jenison, *op. cit.*, 111-112. These accounts conflict in various points; as to number of French killed and captured Vaudreuil's account is confirmed by Galpin to (Glen), Augusta, July 7, 1749, Public Records Office (London), Colonies, v. 459, p. 549. For texts from the Public Records Office the present writer is indebted to Mr. C. W. Paape of the Illinois Historical Survey. The form of the Arkansas census cited above suggests that among the men killed were Flamant and La Froray and that the women and children captured were the wives and children of these two men.

Fear of general Indian warfare in Louisiana arose in a report that among the Chickasaw raiders were many members of the Choctaw and of the Abeka (a Lower Creek tribe), both allies of the French, who lived not far from the Tombecbe Post (Sumter County, Alabama). The Alibamou tribes reported however that only forty Abeka and no Choctaw had taken part in the affair.⁵⁸ The governor in New Orleans wished to ransom the eight captives, but he learned that "four of them were bought by English traders established among the Choctaw, at whose solicitation these Indians made their expedition, and the four others were taken to Carolina."⁵⁹

News of Arkansas French slaves in the Chickasaw villages came quickly to the knowledge of George Galpin, an English trader among the Creek, who upon his return to Georgia informed Governor Glen in Charleston by letter of July 7. On September 17, 1749, the governor wrote in turn to James Adair, who was trading among the Chickasaw even though the term of his British trading license had expired. In the course of the French expedition of 1739-1740 Governor de Bienville had captured four English traders, whom he had sent to France. In order to ransom these British subjects the governor in Charleston determined to gain custody of the eight French captives among the Chickasaw.⁶⁰ Yet James Adair would have posterity believe that Governor Glen's letter addressed to him directed him merely to bring down the Indians.⁶¹

Adair had bought from the chief Payah Matahah one French woman and two children of the Arkansas. Except that they prayed over their rosaries it seemed to him that their manners were as wild as those of their Chickasaw captor, who treated them, however, with kindness. In order that his friend and customer the chief might make a good impression on the British authorities in Charleston Adair gave the slaves to Payah Matahah, from whom he had bought them. The other captives remained in the villages, but with these three, with Payah Matahah, and with a party of about twenty warriors and attendant women Adair set off in the autumn. Two expeditions of French allies

⁵⁸ Vaudreuil to the minister, Feb. 1, 1750, ANC, C¹³A, 34:256. Adair, *op. cit.*, *loc. cit.*, sets the number at fifty.

⁵⁹ Mémoire concernant la Situation par rapport aux Sauvages, March 13, 1750, ANC, C¹³A, 34:372v-373.

⁶⁰ Galpin to (Glen), July 7, 1749, as cited: South Carolina Upper House Journal, May 10, 1750, PRO, CO⁵, 461:90. The British captives may have been the New York traders captured on the Mississippi in 1743.

⁶¹ Adair, *op. cit.*, 331.

hurried out to intercept him, one party of Choctaw sent by the commandant of French Tombecbe and one party of Muskogee, (a Greek tribe) sent by the commandant of the Alibamous. Some English traders accompanying Adair but not overmuch seeking to bolster Adair's influence in Charleston persuaded Payah Matahah to sell to the Muskogee the French slaves whom Adair had given to him. Payah Matahah sold Adair's slaves to the Muskogee and made as much of a treaty of peace as one Chickasaw chief and twenty or more warriors might make with French allies.⁶² Thus within nine months of the raid upon Arkansas Post the governor in New Orleans could report to France that Indians at the Alibamous Post had delivered to the French commandant there the three French captives, that orders to make French payment to the Muskogee for this third transaction in human flesh were bound up Mobile River and that the Chickasaw again had sued for peace.⁶³

No one, and the Quapaw least of all, could believe that the Chickasaw were seeking in good faith for peace. The Quapaw asked that the Arkansas fort should be removed for their protection to the old spot to which they themselves had retired. With general Indian warfare in prospect, the governor in New Orleans did not dare offend the Quapaw by refusing their request. Yet he had no funds for rebuilding forts and no authority for such expenditures, and necessity was pressing upon him from all sides. If the Count de Maurepas, long experienced as minister of the Marine and of the Colonies, had been still in office the Marquis de Vaudreuil might have hesitated to act even in such an emergency, but Antoine Louis Rouillé, Comte de Jouy, who had succeeded Maurepas in April, might be less exigent as to obedience to orders. On August 3 the governor and the ordonnateur experimented by means of a joint dispatch to the minister. They pleaded for authority to rebuild all forts of the colony. They confessed that on the authority of circumstances only they were sending an engineer officer to the Alibamous Post to renew the rotten buildings, only five years old, that threatened daily to tumble about the ears of the occupants. They warned the minister that at any moment they might find it necessary to take similar unauthorized action in relation to some similar emer-

⁶² *Ibid.*, 331, 335, 339; South Carolina Upper House Journal, *loc. cit.*

⁶³ Vaudreuil to the minister, Feb. 1, 1750, ANC, C¹²A, 34:256v.

gency. They spoke pointedly of the ruinous Arkansas Post and of the need of removing it up the river.⁶⁴

After this cautious first step the governor felt that he might make a second. On September 22 he wrote to confess that on a date he did not disclose he had ordered the rebuilding of the Arkansas Post near the place, some five leagues farther up Arkansas River, where the Quapaw again had reaped a crop. Perhaps by the hand of the tipsy Captain de Montchervaux, whose four bateaux for the Illinois had left New Orleans at about the date of the previous and cautious letter, the order proceeded to Ensign de Lino at Arkansas Post.⁶⁵

CHAPTER V. THE ROAD TO SANTA FE

The earliest permanent establishments on the continental coasts of the Gulf were made in the course of a race between France and Spain to assert sovereignty. In the late seventeenth-century years of Franco-Spanish warfare a Spanish expedition had found and removed from Texas the last remnant of the colony that La Salle in 1685 had brought to the shore of La Vaca Bay. Fear lest French encroachment should continue caused the commander of the presidio of Vera Cruz in 1691 to recommend Spanish occupation of Pensacola Bay, the only deep port left unoccupied.¹ In January, 1699, the young Le Moyne de Bienville, disguised as a servant, went ashore from his brother Iberville's squadron to see for himself that the Spaniards had beaten the French by three months in the race for Pensacola.²

The expedition that fifteen years later Governor Cadillac of Louisiana caused Juchereau de St. Denis to lead up Red River, and subsequent French activities among the Natchitoches tribe and their neighbors, renewed Spanish fears for the lands that La Salle once had invaded. A brief war between Spain and France, ending early in 1720, gave specific warning to Spain of what her Bourbon King Philips French nephew Louis XV might do in the future. So Spanish troops accompanying and following the Marqués of Aguayo from Coahuila, with some

⁶⁴ Vaudreuil and Michel to the minister, Aug. 3, 1749, ANC, C¹³A, 34:28, 28v, 29; cf. Loubocoy to the minister, Aug. 2, 1743, ANC, C¹³A, 28:157-157v.

⁶⁵ Pease and Jenison, *op. cit.*, 116-117, 157.

¹ Royal Cédula, June 26, 1692, Archivo General de Indias, Audiencia, México, 61-6-21, typescript in Ayer Collection, Newberry Library, Chicago; cf. Irving A. Leonard, *Spanish Approach to Pensacola, 1689-1693* (Albuquerque, 1939).

² Margry, *Découvertes*, IV, 96-97; Stanley Faye, "Spanish Fortifications of Pensacola, 1698-1763," in *Florida Historical Quarterly*, XX (Oct., 1941), 151-155.

authority to import goods from Louisiana and the Compagnie des Indes, established at the Adais village, west of the Arroyo Hondo, a fort that should bar westward movement from the French fort that St. Denis had set seven leagues distant at the Natchitoches on Red River. Thereupon to a document to which, as at New Orleans, November 24, 1721, were signed the name of Inspector-General Diron, the former ordonnateur, and then or later that of Governor de Bienville, and other names, one of various notes was added in March, 1722, as follows:

The Spaniards who came in 1721 to make the establishment of the Adais brought 50,000 pesos for buying goods at the Natchitoches, but unluckily there was nothing at all in the Company's storehouses, which is the more unfortunate since if they had found it possible to use their pesos they would not have failed to come back with greater sums.³

The viceroy of Mexico was planning not only the Adais fort at a far northeastern point of his dominions, but also a system of missions intended to draw and to hold Indians to friendship with Spaniards.⁴ The sedentary tribes among whom the French refugees of 1687 had passed to Red River on their way to the Arkansas accepted Spanish friendship. The Spaniards of New Mexico long since had made peace of varying quality with the nomad Lipan Apache, who occupied southeastern New Mexico and central Texas, and with the Jicarilla (Basketmaker) Apache, who ranged the New Mexico plains east of the Sangre de Cristo Mountains and south of Ratón Pass, from the foot of which flows the Canadian Fork of Arkansas River. In more easterly hills and plains (northern Texas, Oklahoma, Kansas) the nomad Comanche and the more settled Wichita under varying names were friends of Caddo and sometimes of the Siouan Osage, but enemies of Apache and therefore of Spaniards, the Apache's white allies. To the Wichita nations (and perhaps to the Comanche also) their still more easterly friends, the Quapaw gave in their Siouan tongue the name of Mento,⁵ or people of the lands where there are bears. The Spaniards of Texas knew Wichita and Comanche under the collective name of Norteños, or Northerners.

³ Second series of notes annexed to census of Nov. 24, 1721, ANC, G¹ 464. The growth of a legend may be seen in George Morgan's journal in Alvord and Carter, *The New Régime*, 446.

⁴ Report on Spanish claims to Texas, Nov. 27, 1804, AGI, Audiencia, Santo Domingo, 86-5-24. This report contains errors.

⁵ Various writers contemporary and modern make different applications of the Siouan term *Mento*, the French term *Panis* or *Panis Piqués* and the New Mexican term *Jumano*: cf. Margry, *op. cit.*, VI, 473; Bolton, *French Intrusions*, 389; Alfred Barnaby Thomas, ed., *The Plains Indians and New Mexico, 1751-1788* (Albuquerque, 1940), 6; Frederick C. Chabot, ed., *Excerpts from the Memorias for the History of the Province of Texas* (San Antonio, 1932), 7.

From the earliest days the French of Louisiana had recognized the enmity existent between Norteños and Apache as a barrier to the French of Lower Louisiana on the road to Santa Fé.⁶ The strategic value of trade goods, whether exerted by Spaniards or by French, might bring about peace if not alliance between the warring groups to the advantage of the white power first exerting such influence. The Spaniards did not extend their occupation of Texas by fort or by mission to the northward of Adais and of its latitude, but news of Spanish plans for a northward extension quickly alarmed the French of Louisiana.

For this reason Benard de la Harpe, led by Comanche guides, made an overland journey in 1720 from Natchitoches to make alliance with the Mento villages just west of the Wichita and Ozark Mountains. For this reason also Diron and Bienville thought it proper in 1721 to prepare for establishing a French fort and settlement well up Arkansas River before Spanish ambition should duplicate there the French disappointment of Pensacola Bay that Bienville's own eyes had appreciated in 1699. For this reason,⁷ rather than for the lesser reasons of the written orders that Bienville gave to La Harpe, the cadet and his few soldiers were dispatched to the Arkansas late in the year. It was their duty to survey the river and on its southwest fork to confirm the friendship that in the previous year La Harpe had begun with the Mento.

If royal ambition of a Spanish Bourbon king should put Bourbon France and the India Company to the expense of maintaining a post in or beyond the Ozarks, it seemed suitable in New Orleans that Spain should repay the expense. An unofficial method of collecting Spanish tribute by means of contraband trade commended itself in March, 1722, to those officials under whose authority La Harpe at that moment was toiling up Arkansas River. Their plans for a post in the land where there are bears they suggested in words as follows:

It will also be quite easy to create an overland trade with the Spaniards established near the head of the River of the Arkansas and that of the Missouri. According to reports of the *voyageurs* it can scarcely be doubted that a very advantageous trade can be carried on with the Spaniards of those two regions without possibility that the viceroy of Mexico can ever prevent it in view of the distance,

⁶ Cf. Joutel, *Remarques*, 14v-15, 23.

⁷ Bienville to the Council, Biloxi, Dec. 15, 1721, ANC, C¹⁵A, 6:179.

which does not permit transport from Mexico of the merchandise of which the Spaniards who live near those rivers may have need. And as those Spaniards pass for being quite rich and as it is certain that they lack even the most necessary articles, it is apparent that there will be a very considerable profit from the merchandise that may be carried to them.⁸

Benard de la Harpe returned to Biloxi on May 25, 1722⁹ reporting that even in April low water in the Arkansas had halted him at a point 100 leagues short of his Mento. But the stories of the *voyageurs* so well remembered by Ordonnateur Diron,¹⁰ which Inspector-General Diron so well recounted, persuaded the colonial authority to survey the second of their two roads to the Spanish land. Up the Missouri and then (as it was later to be learned) up the Platte this second road led to the northward of the Pawnee country and far northward of the Mento, the Apache enemies. Bearing Bienville's written orders, as ingenuous as those that La Harpe had carried on the Arkansas, the *voyageur* Bourgmont with experience on the Missouri dating from 1703 established a first French post in the Osage country thirty leagues below the Kaw.¹¹

Friendship continued in Europe between the two Bourbon monarchies, though the commander of the Illinois Country continued the official French invasion of Missouri River to the future disadvantage perhaps of Spanish New Mexico. When fire destroyed the mission, fort and storehouse of Pensacola in 1704 and left only six sacks of hard bread between the Spanish garrison and starvation, the French of Mobile sent help.¹² In later years Spanish Mexico and Louisiana aided each other in somewhat similar emergencies. French soldiers of Louisiana committing the crime of desertion could find sanctuary beyond Arroyo Hondo. Deserting soldiers of Pensacola and Mexican Negro criminals of Pensacola's labor battalion found sanctuary at Mobile. Joseph Blanpain, interpreter¹³ and trader at Natchitoches, made friends in the Attakapas, a region claimed by Spain.

Unlicensed French Canadian traders from the Illinois followed the French official expedition up Missouri River and into

⁸ Second series of notes annexed to census of Nov. 24, 1721.

⁹ Margry, *op. cit.*, VI, 382.

¹⁰ Cf. *ibid.*, VI, 241n.

¹¹ *Ibid.*, VI, 393 (*et ante et seq.*)

¹² Junta de Grra de Inas, Dec. 2, 1707, AGI, Audiencia, México, 60-5-2.

¹³ Dumont de Montigny, *Mémoires* (MS.), 378.

the lands of Osage and Pawnee. Perhaps from the Little Weas, or Post Vincennes, on Wabash River below the *terre haute*, whence the family Mallet was to extend its fame to Cahokia and to Peoria on Illinois River,¹⁴ Pierre Mallet, his younger brother Paul, five other Canadian *voyageurs* and one European Frenchman began a longer expedition without passports in the early months of 1739. They could not have dreamed what influences they were creating to disturb throughout a decade the chancelleries of two European nations and throughout a shorter term the tranquillity of commandants at Arkansas Post.

With the aggressive Mallet *cadet* as leader rather than the more mildly mannered Pierre the adventurers ascended the Missouri, ascended the Platte and worked their way southward. Ietan Comanche let them pass. A Black Pawnee slave, a Christian of New Mexico, deserted his Ietan masters to lead the Frenchmen southward from the northwest fork of the Arkansas and across Ratón Pass, from the foot of which through a purple plain flows southward the little River of the Jicarilla, which is to become the Canadian Fork of the Arkansas. Down the river a march of twenty-one French post leagues¹⁵ (50 English miles) brought them to the Jicarilla village at the Cimarrón confluence twenty Spanish leagues¹⁶ (60 English miles) east of the Taos pueblo. Up the Cimarrón brook a strangely easy mountain road led them into a high park, beside its unexpected lake, down along another brook to the torrent that is the Río Grande, and so to Taos. Thus with flowing water at their hand Frenchmen penetrated into the heart of dry New Mexico. On July 24 they came to the end of their road in the Spanish town of Santa Fé.

Paul Mallet alone of all the Frenchmen entered the adobe palace of Governor Gaspar Domingo de Mendoza, to meet with a qualified welcome. No charge of contraband trade could be brought against him, since the expedition had lost all its possessions in fording a river. As guests of the town's chief civilian magistrate, the *alcalde mayor*, and almost as free men the eight

¹⁴ Clarence Walworth Alvord, ed., *Cahokia Records, 1778-1790* (Springfield, 1907), 159; James Alton James, ed., *George Rogers Clark Papers, 1771-1781* (Springfield, 1912), 58, 59, 433, 449; Ernest E. East, comp., *The Inhabitants of Three French Villages at Peoria, Illinois* (Peoria, 1933), 7, 12, 13.

¹⁵ Margry, *op. cit.*, VI, 458. The name Jicarilla, or Heecah-reeyah in English phonology, becomes Piquouris (Peekwahree) in the report of the brothers Mallet, who, being Canadians, could not recognize aspirates. Perhaps on authority of this report the Picuri (Tegna) tribe occupies the position of the Jicarilla on the map of Coronelli, *Le Nouveau Mexique* (Paris, 1742), in Chabot, *op. cit.*, 18-19.

¹⁶ Codallos y Rabal to the viceroy, March 4, 1748, in Ralph Emerson Twitchell, ed., *The Spanish Archives of New Mexico* (2 v.; Cedar Rapids, 1914), I, 150.

vistors remained in Santa Fé during the nine months that passed until on April 30, 1740, their host gave them orders that the viceregal government of Mexico had sent to the governor. Gently but firmly Mexico ordered the brothers Mallet to quit the Spanish dominions and not to come back without a passport from the government in Spain; otherwise their trade goods would be liable to confiscation. Yet the Spanish missionary of Santa Fé gave them a letter directed to the French religious administrator in New Orleans in which he expressed his pleasure in the opening of international trade relations and asked that the next French expedition should bring him some of the material comforts that he lacked.

As the missionary's letter suggests, Santa Fé treated the visitors more gently and less firmly than the viceroy had directed. Governor Domingo de Mendoza had permitted one French *engagé*, Louis Moreau, to marry and to stay on, indistinguishable from other residents. Seven Frenchmen instead of eight travelled from Santa Fé to the River of the Jicarilla and still eastward a journey of two weeks. Then Joseph Bellecourt, Manuel Gallien and Jean David (the European, called Petit Jean) struck off to the north-east to return to the Illinois Country by way of the Pawnee and the Osage. The brothers Mallet with Philippe Robitaille and Michel Belleau (called La Rose) continued eastward to the Arkansas Post, which they reached in July, 1740.¹⁷

To the Illinois went the story of the first visit paid by Frenchmen to Santa Fé. Within two years the story led along the westward route of the brothers Mallet nine other men of the Illinois. Seven returned, by way of the brothers' eastward route; two remained, to become Spaniards. Jean-Alorge became a good Spaniard, but Louis-Marie, a turbulent spirit, offended against Spanish law and was executed in the plaza of Santa Fé. Only a little later, in 1744, still another adventurer from the Illinois, a native of Tours whose name may have been Jacques Labelle, learned with pain that the new governor of Santa Fé, Don Joaquín Codallos y Rabal, was obedient to viceregal orders. Instead of joining the old French settlers this Frenchman found himself sent under arrest to interment in Mexico.¹⁸

The brothers Mallet under orders from the City of Mexico had gone back to Louisiana. The Spanish official document placed

¹⁷ Margry, *op. cit.*, VI, 455-465.

¹⁸ Twitchell, *op. cit.*, I, 149; cf. II, 214. The first man's name appears as Juan de Alari. Alorge as a baptismal name was common among Canadians of the time.

within their hands forbade them to enter New Mexico again, but likewise it commanded all members of the Mallet expedition to depart. Spanish hospitality and unofficial permission of Governor Domingo de Mendoza that one of the French comrades might disregard the viceroy's decree duplicated in the minds of the brothers Mallet the opinion expressed in 1722 by Inspector-General Diron, that trade could be carried on with New Mexico without possibility that the viceroy of Mexico could ever prevent it. March of 1741 saw Pierre and Paul Mallet in New Orleans expressing opinions to Governor de Bienville and to Edmé Gatien Salmon, the ordonnateur.

The governor and the ordonnateur, whose duties concerned all trade whether lawful or illicit, listened to the story that the Canadians told of Santa Fé, of the silver mines, of one silver mine not one league from the town, which Spanish surveillance had not prevented them from seeing though that mine happened not to be in operation. So on June 1, 1741, a subordinate in the ordonnateur's department, the notary Andry Fabry de la Bruyère, received orders from governor and ordonnateur for an official expedition. He started to fulfill his duty in September by quitting New Orleans in company with the brothers Mallet, Robitaille, Belleau and other guides and aids. The Arkansas River was to be their route and five pirogues their vehicles. Their destination was New Mexico. Yet they carried written orders from Governor de Bienville as ingenuous as those that Bienville had given so many years earlier to explorers on the Arkansas and the Missouri.¹⁹

Nineteen years earlier Benard de la Harpe had come back from the Arkansas reporting to Bienville at Biloxi that low water in April had halted his pirogues just beyond the Rocher Français. Now in more rainy wintertime Fabry passed among mountains and into the less rugged country beyond before the water ran away and left his boats on the sandy bottom of Arkansas River's southwest fork, the River of the Jicarilla, indeed, but many a league short of the Jicarilla Apache. Flash floods gave the travelers momentary hope and destroyed it. A band of Osage, returning from a raid on the Mento villages one day's journey to the southward, offered to sell the white men horses to carry them to Santa Fé. The Canadian brothers recognized this offer as miraculously good luck, but Fabry was of that tribe who made

¹⁹ Margry, *op. cit.*, VI, 466-473.

the name of notary proverbial in Louisiana. He would buy no horses. Soon he changed his mind, but only to learn that the Osage already had changed theirs. He sent Paul Mallet on a fruitless journey to the Mento villages for horses. He himself went down for supplies to Arkansas Post, leaving the indignant Canadians and his own men from New Orleans to guard baggage on the river that he named St. André for himself. When he returned after months of absence the Canadians were no longer waiting with the men from New Orleans. On the bank of the River St. André Fabry found the *voyageur* Brindamour of Arkansas Post and entrusted two sick men to his care. Fabry himself travelled overland to Red River and in November reached Natchitoches.²⁰

In New Orleans the notary found that even a notary could do wrong by obeying orders. Testimony of the brothers Mallet arrived to accuse him of bad judgment. The ordonnateur examined departmental accounts and found that costs of the expedition totalled more than 22,600 livres.²¹ Out of the total he managed to choose about nine percent that Fabry had expended without specific authority. So the sum of 2,026 livres he decided the creditors should collect not from the colonial government but from Fabry the notary. In France the minister of the Marine and of the Colonies viewed the matter in a different light and wrote to Governor de Vaudreuil and Ordonnateur Salmon as follows:

Although the expedition that the Sieur Fabry undertook in order to penetrate New Mexico by the overland route did not succeed, it has nevertheless not seemed just to make him liable for any of the disbursements that he made on this account; and the King's intention is that Monsieur Salmon shall provide for the suspended payment of the 2,026 livres that remain to be accounted for. It would be unnecessary, moreover, to inquire the reasons that caused this expedition to fail, but still it seems that the Sieur Fabry's journal will be of value to those who will wish to undertake another such expedition. Since the Canadians with whom he was associated have decided to make a new journey, it is to be hoped that it may not be without success, and I expect you to inform me as to what may be the outcome of it. In addition I find occasion to trust that no disbursement in this direction will be made on the account of His Majesty, who certainly would not approve that any disbursement of any sort should be made without his order.²²

²⁰ *Ibid.*, IV, 472-487, 489.

²¹ *Ibid.*, VI, 488-492.

²² Minister to Vaudreuil and Salmon Jan. 7, 1744, ANC, B, 78:446.

Without causing expense to King Louis XV the Illinois Frenchman whose name may have been Jacques Labelle made his way to Santa Fé in that same year and unwillingly continued on his way to permanent exile in Mexico. Other men of Upper Louisiana may have adventured tentative distances on the Missouri and the Platte, for Spanish clemency accorded to the brothers Mallet seemed to invite further visits. Yet war between Comanche and Apache barred the road of the Arkansas for any persons not possessing the friendship of both those nations. The brothers Mallet, despite their asserted intent of travelling westward again did not yet attempt a third expedition. Awaiting the time when the barrier of Indian warfare should remove itself, the brothers settled down at Lieutenant de Montchervaux's post.

Paul Mallet, the younger brother, lost his aggressiveness and settled down completely. Like Louis Moreau in Santa Fé he married and became a *habitant*, a resident trader and farmer of Arkansas Post. He was not prosperous enough to be a gentleman, to be addressed officially as *monsieur* or named officially as *sieur*, to be more indeed than *le nommé* Mallet, the man Mallet; but possession of a wife, three small daughters, one slave, one ox and one cow, even though no pigs, assured him social position among civilians of Arkansas Post. The more mildly-mannered Pierre arrived at no such status. Like Brindamour, he remained a *voyageur*, a *bourgeois* employing two *engagés*. Arkansas Post knew him officially therefore only as Paul Mallet's elder brother, Mallet *l'ainé*.²³

If the brothers Mallet stayed at home they did not forget their Spanish adventure, nor did Arkansas Post. To the river that Andry Fabry de la Bruyère had named St. André for himself Arkansas Post gave the name Rivière des Canadiens, which Anglo-Americans were to translate as Canada River or Canadian Fork. Throughout the years the brothers Mallet talked of their explorations at the headwaters of that river and of their winter's camp on its sands. Meanwhile the Comanche had brought about a change in affairs of the west. Apparently it was Ietan Comanche who came across Ratón Pass. Comanche took possession of the purple plain. From Cimarrón Creek the Jicarilla fled before their coming and made a new village on the Río Ganillas

²³ General Census [Arkansas Post], 1749, Loudon Papers, 200.

time five French subjects in one group were captured in New Mexico.³³

Meanwhile the great number of Spanish subjects coming to Louisiana to see for themselves gave reason to the viceroy in the City of Mexico to suspect in 1750 that the governor of Spanish Texas might be fostering contraband trade to his own profit. Adais, seven leagues beyond Natchitoches, was still the capital of a Mexican province that extended southwestward only to include San Antonio and the left bank of Medina River a few leagues beyond. Spaniards of Texas, as Inspector-General Diron had hoped in 1722,³⁴ had learned how to evade the wrath of Adais and of its commanding lieutenant, its one ensign and its sixty-eight enlisted men, seventeen of whom in 1750 were on detached service at a distant presidio. Even if the Spanish governor did not concern himself with contraband trade many persons passed eastward across the arroyo intent on unlicensed and unlawful private business in export of beef on the hoof and of other Texas products and returned by stealth laden with French manufactured goods, to the prejudice of the Spanish trade monopoly under the mercantile system. Mounted Texans rode eastward seated on saddles without which unaccountably they returned from a French colony unskilled in the production or the working of leather. In the summer of 1750 Spanish officials visiting New Orleans saw more than forty Spanish subjects there preparing to engage themselves in unlawful transfer of French goods into Spanish territory.³⁵

The close friendship existing between the Bourbon dynasties of France and Spain reflected itself in repeated orders that the governor and ordonnateur in New Orleans should advance to the utmost such commercial relations as neighboring Spanish colonies might permit under competent Spanish authority. The French minister of the Marine and of the Colonies and the officials of Louisiana did not carefully preserve in their correspondence the fiction that Spanish smugglers in New Orleans held competent authority. The Canadian marquis who was governor treated the Spanish "merchants" affably with the condescension that he regarded as "a certain deference." The new ordonnateur, Honoré Michel from Montreal, racked by the high

³³ *Ibid.*, 396-398; Thomas, *op. cit.*, 20.

³⁴ Second series of notes annexed to census of Nov. 24, 1721, ANC, G¹ 464.

³⁵ Statement of Revilla Gigedo (the viceroy), Feb. 12, 1751, in *Diligencias practicadas por el Govr de la Prova de Texas*, Archivo General y Público de la Nación (México, D. F.), Sección de Historia, v. 299.

blood pressure that was soon to cause his death in a fourth stroke of apoplexy, treated Spanish smugglers with indifference or with a petulance the origin of which the healthy governor did not suspect.³⁶

The ordonnateur for his part felt less of joy in continued smuggling through Natchitoches and Adais than he felt of pain in diminution of Spanish smuggling by sea. Ending of warfare in Europe permitted to the Spanish government a policing of colonial coasts that destroyed Louisiana's maritime contraband trade. In January, 1750, the ordonnateur complained that Spanish ships had ceased to appear in Louisiana ports on business outlawed by Spain. This was the more distressing since French Louisiana, with an unfavorable trade balance, depended on Spanish smugglers to maintain her supply of hard money.³⁷ Vigilance of the Spanish coastguard was thus to force the French ordonnateur a few months later to an issue of colonial paper money that may have been the cause of later distress in Arkansas Post. The minister in France, considering the entire situation on September 26, wrote shamelessly as follows to Governor de Vaudreuil:

It would be highly desirable that the abundance of French goods with which the colony now is supplied should attract Spanish traders, but it is to be feared that the measures of all kinds that the ministry of Spain has taken in this regard have wrecked the measures of our merchants for the exportation of those goods. However that may be, His Majesty cannot desist from recommending that you favor this trade in all ways within your jurisdiction.³⁸

In one way within his jurisdiction the governor already had obeyed, according to his lights, an earlier and similar order of His Majesty. In the spring of the year Ensign de Lino of the Arkansas had come to New Orleans upon permission obtained from the governor. He had brought with him one of the brothers Mallet.

Le nommé Mallet, voyageur, the ordonnateur called this man, and *le nommé Mallet* and *ce voyageur*, the governor repeated.³⁹ Therefore it was the more mildly-mannered Pierre and not Paul, the former leader settled down to married life and parentage,

³⁶ Vaudreuil to the minister, May 8, 1751, ANC, C¹³A, 35:100v-101.

³⁷ Michel to the minister, Jan. 22, 1750, ANC, C¹³A, 34:299v-300.

³⁸ Minister to Vaudreuil, Sept. 26, 1750, otherwise translated in Pease and Jenison, *Illinois on the Eve of the Seven Years' War*, 234.

³⁹ Michel to the minister, July 2, 1750, ANC, C¹³A, 34:315v; Vaudreuil to the minister, May 8, 1751, ANC, C¹³A, 35:94, 95v.

who after seven years came back to New Orleans to make good his intent and his brother's, expressed in 1743, of undertaking another journey to Santa Fé. In the winter season of 1748-1749, if not in the previous and following seasons, Pierre Mallet had absented himself from Arkansas Post long enough to travel far beyond the country where there are bears. His close association with the deserters of Arkansas Post and with Felipe de Sandoval the *voyageur* is apparent in his assertion to the governor that now up Wachita River among Indians whom he called Pani "he expected to find some hunters from Arkansas River, who owed him money and who had left surreptitiously two or three years previously." He told the governor (or so the governor said) that "if he did not find them in that place they would apparently have gone into the Spanish lands, which are near by, and in that case he would prolong his journey as far as Santa Fé if [the governor] would permit it, knowing that country as he did by reason of having been the first Canadian who had previously explored it and where he had been well treated."⁴⁰

The Marquis de Vaudreuil did not ignore that a previous minister of the colonies had forbidden him to authorize another expedition of the brothers Mallet at colonial expense. On the understanding that public funds would not this time be involved Honoré Michel expressed to the governor his approval. Mallet did not tell the ordonnateur from what other source a *voyageur* of Arkansas Post might finance an expedition in succession to the one that had cost the colony 22,600 livres, for before Michel found time to summon Mallet before him the governor sent the *voyageur* up the Mississippi laden with supplies that he would need on his westward journey. Thereupon suspicion possessed the ordonnateur, who inferred that Ensign de Lino and his relative the governor had underwritten the enterprise for their own profit. Michel reported his inference forthwith to France. Governor de Vaudreuil, despite the orders he had received in 1744, reported not a word of Mallet's projects until, ten months later, there came to him from the new minister of the colonies a reprimand of such severity as never had been practiced upon him by that minister or by his predecessor.⁴¹

⁴⁰ Vaudreuil to the minister, May 8, 1751. The "Ouachita" to which Mallet said he intended to go first is the Wachita of Oklahoma, which, from a point just south of the Fabry-Mallet winter camp on the Canadian Fork in the Mento country, flows southward to join Red River. The Pani in this case are not Pawnee but Panipiqué, or Wichita.

⁴¹ Minister (Rouillé de Jouy) to Vaudreuil, Oct. 2, 1750, ANC, B, 91:405-405v.

Only six days earlier the minister in his letter of September 26 had urged the governor to commit acts of aggression against the commerce of a friendly power and ally. Now on October 2 the minister was accusing the governor of committing or encouraging aggression against the French colonial system of trade. The governor in reply protested at length and at equal length explained, but he appears always to have remembered that explanation too minutely detailed might heighten his embarrassment. He did not say that necessary funds for Mallet had not come from his elderly marchioness, the businessman of his family circle, who was reputed to draw a proprietary profit from one-third of the colony's irregular trade. He protected Ensign de Lino by denying that his kinsman held any financial interest in Mallet's journey, but he failed to say as much of himself in unmistakable words. He emphasized the fact that Mallet's enterprise tended to establish French trade in the (contraband) Spanish direction at no cost to the French royal treasury. He confessed that he had authorized Mallet to pass beyond the Pani and to Santa Fé. Since at the date of his letter, May 8, 1751, no news of the *voyageur* had come to New Orleans, he assumed that Mallet had continued again to the end of the road.⁴² No further certain trace of that *voyageur* has been found in records whether French or Spanish.⁴³

Already the viceroy of Mexico had treated the cases of earlier intruders, the companion of Sandoval the Spaniard and the five Frenchmen who had come to New Mexico at about the same time. On advice of the military judge-advocate in his capital city he had ordered the new governor of Santa Fé, Don Tomás Vélez Cachupín, to send the six French prisoners, and any future French captives, to Chihuahua or Sonora, whence they could not escape to recount in Louisiana the military weakness of New Mexico and its inability to repel attack by an organized armed force.⁴⁴ Four other French traders, who had come later up Missouri River and experienced a Spanish trial in February, 1751, were sent first to the City of Mexico and then to Vera Cruz, whence they were carried northward and then far inland.⁴⁵

⁴² Vaudreuil to the minister, May 8, 1751, ANC, C¹³A, 35:94-96v.

⁴³ One Pierre Mallet was living at Vincennes (Indiana) in 1781: James, *George Rogers Clark Papers, 1771-1781*, p. 433.

⁴⁴ Ensenada to Revilla Gigedo, Madrid, Jan. 24, 1753, in *Royal Cédulas, 1631-1793*, No. 256, AGN. Historia, v. 321.

⁴⁵ *Ibid.*, No. 257; Twitchell, *op. cit.*, I, 229; Bolton, *op. cit.*, 400.

Desertions of soldiers and also of *voyageurs* from the French posts into Texas and the land where there are bears had become so many in number that the governor in New Orleans had opened negotiations in 1750 by way of Natchitoches and Adais for an exchange of fugitive Spanish and French subjects between the two posts. The viceroy repeatedly refused a cartel on the pretext that he lacked specific authority. The Spanish prime minister early in 1753 approved his refusal and ordered him to see that no unofficial Frenchman who had crossed the frontier should be permitted under any pretext to return to Louisiana, since they might be French spies informed of Spanish military secrets.⁴⁶ This ministerial order founded itself on the precedent of the Royal Order of July 26, 1751, issued after the case of Louis Febre and his two companions from Arkansas Post had undergone review by the royal government in Spain.⁴⁷ The Arkansas adventurers had brought about in a foreign land a policy of state that was continued in 1755 in original orders to the successor viceroy.⁴⁸ The policy maintained itself unchanged until 1760, when King Charles III of Spain modified it only by permitting the return to Louisiana, under arrest, of French army deserters who were not suspected of being secret agents of France.⁴⁹

International complications that the brothers Mallet had begun and that the Comanche agreement with Governor Cordallos increased still persisted through the influence that the Mallet legend exerted at Fort Chartres in the Illinois, old home of Pierre and Paul of the Arkansas. On October 8, 1751, Captain Charles Benoist de Ste. Claire, acting-commander of the entire Illinois Country, so far forgot discretion as to give a written passport⁵⁰ to a *voyageur bourgeois*, Jean Chapuis of Mackinaw, and nine *engagés* authorizing them to go exploring beyond the French frontier and into New Mexico and to carry with them such trade goods as might seem to them proper. Louis and Laurent Trudeau and six companions ventured no farther than the Pawnee country; Chapuis and Louis Foissy of the Illinois held to their purpose. To the Jicarilla Apache village on Ganillas River they travelled, and a Jicarilla guide led them farther

⁴⁶ Ensenada to Revilla Gigedo, July 26, 1752, *Royal Cédulas, 1631-1793*, Nos. 251-255.

⁴⁷ Cf. Bolton, *op. cit.*, 405.

⁴⁸ The King to Amarillas, June 30, 1755, in *Instrucciones que los Virreyes de Nueva España dejaron á sus sucesores* (Mexico, 1867), 96.

⁴⁹ The King to the Viceroy, Aranjuez, May 4, 1760, *Royal Cédulas, 1631-1793*, No. 274.

⁵⁰ Translation in Thomas, *op. cit.*, 95.

though in a new direction. On August 6, 1752, the Frenchmen laid down their contraband trade goods not in Taos but in the Spanish village on Pecos River, before the church whose great nave looms today in ruins overlooking a ghostly pueblo, with one well and a desert still to pass before a traveller may arrive in Santa Fé.

Long-suffering Spanish officials in Santa Fé treated even these two French intruders with kindness, and Louis Febre, the respected tailor of New Mexico, served as their interpreter. Nevertheless under general orders from the viceroy contraband French goods went to sale at auction to pay for transport of the prisoners to the City of Mexico. On January 18, 1754, the viceroy's legal advisor in this case, prosecuting attorney of Mexico's supreme court, recommended sending the two men to Spain. On the following day the viceroy issued the corresponding order. On April 20 he dated his report to be sent to Spain with the Frenchmen.⁵¹

Contraband traders like Sandoval's companions and the five who had come up the Missouri at about the same time had suffered punishment by perpetual exile in lands where life would be perhaps easier than in the land of beaver skins. Such treatment did not come the way of Chapuis and Foissy, for these successors of the brothers Mallet, with their Illinois passport, at last had given to the Spaniards documentary proof that the French colonial government of Louisiana was fostering illicit trade across the Spanish colonial frontier. So in 1754 the viceroy shipped the two prisoners to Spain in order that their case might be considered in a court higher in authority than the *audiencia* of Mexico. In November of the same year he was prepared to report to Spain that Joseph Blanpain had been captured in the village of Chief Red Breeches, near Moss Bluff on Trinity River, far beyond the western boundary that Louisiana effectively claimed.

With two *engagés*, Elias George and Antoine Delfoss, and with two Negroes the elderly interpreter had built a cabin for himself a few miles farther down the Trinity on the spot to be known as Punta de Gusto,⁵² or Pleasant Point, on the Trinity's left bank near its mouth in Galveston Bay. San Antonio sent the

⁵¹ *Ibid.*, 21-25, 85; Bolton, *op. cit.*, 400-404.

⁵² Thus in correspondence of 1818 in the Nacogdoches Archives (Texas State Capitol, Austin.) It becomes Punta de Busto in Sandobal to Castañeda, Oct. 20 (copia 3) and Castañeda to Lallemant, Oct. 13, 1818 (copia 5, document 2), annexed to Apodaca to Guerra, Jan. 31, 1819, AGI, Estado, México, Legajo 14.

five men to the viceroy, whose agents upon questioning them learned that Blanpain had been expecting fifty families from New Orleans to occupy the rich land of the Trinity delta and to trade with the Indians whose trade and allegiance Spain claimed. So ambitious an undertaking, it seemed, would not have been formed except through advice and consent of the governor and the ordonnateur in New Orleans. The viceroy held the five men in prison and forwarded a report to Madrid. There it joined the earlier report on Chapuis and Foissy and a wild rumor that Governor Kerlérec of Louisiana had proposed to extend the Comanche peace of New Mexico by effecting peace between the Lipan Apache and all tribes dependent on French trade, in order that France might conquer the Spanish mines of Coahuila and Nuevo León.⁵³

Chapuis and Foissy had finished their sea voyage by entering prison in Cádiz. The Council of the Indies in Madrid read the viceroy's report of April 20 and found itself shocked out of its leisurely routine. It remembered reports of past years on French intrusions into New Mexico and Texas. With indignation now it considered a translation of "the patent or license of the commandant of the fort of Chartre, Don Carlos Benito de Sainte Claire, which he conceded to the two prisoners, and to the rest of the Frenchmen mentioned, to go (this is a very strange matter) on [an exploration] of New Mexico."⁵⁴ On November 27 the Council recommended imprisonment instead of death for the two prisoners of Cádiz in order not to offend the Court of France. It continued its recommendations as follows:

The Council is also of the opinion that official correspondence should be entered into by His Majesty with the Court of France, protesting with the greatest efficacy that the vassals of that crown are contravening the laws of these kingdoms and the treaties of peace; that they are trying to disturb the good relations of the two courts by entering the dominions of Your Majesty for purposes foreign to reason and justice, and that the most shocking aspect of this, and even the principal cause of these violations, is the cooperation of the individual who has the title of commandant of the fort of Chartre, for, without his license, the Frenchmen would not have attempted the journey, and it is to be hoped that, not being able to overlook such an undertaking, His Most Christian Majesty will take the most severe measures

⁵³ Bolton, *op. cit.*, 405.

⁵⁴ Thomas, *op. cit.*, 82, 86.

to punish the commandant, and that, in its consequence, there also be given by that court the strictest orders so that its officers may be restrained and observe exactly what was agreed upon in the treaties of peace. . . .⁵⁵

Early in January, 1755, His Catholic Majesty of Spain accepted his Council's recommendations in full. His decision communicated itself to the prime minister. It may be that news concerning Joseph Blanpain and Governor de Kerlérec's reputed designs upon the mines of the Sierra came late in that same month to the State Department, for embarrassment apparently even greater than that caused by Captain Benoist de Ste. Claire came to the Duc de Duras, ambassador of His Most Christian Majesty of France to the court of Madrid.

Three weeks was the ordinary time occupied by the post between the two courts. Apparently therefore in the first week of February, 1755, the duke wrote to the French prime minister in Versailles to recite an accumulation of Spanish grievances and one particular act of aggression that seemed official. The prime minister passed the report in copy to Jean-Baptiste Machault d'Aronville, who had become minister of the Marine and of the Colonies on July 22, 1754, succeeding the minister who had reprimanded Governor de Vaudreuil so severely. Thus on March 2, 1755, Machault found it proper to forward a recopy of the report enclosed with a dispatch addressed to Governor de Kerlérec and the ordonnateur, Dauberville, which ran in part as follows:

The letter of which I am sending you a copy, gentlemen, is from the Duc de Duras, the King's ambassador in Spain. Although the information it conveys is very well detailed I have felt that I ought to reject the impressions that it might create. . . .

In everything that regards the colonies of the Spaniards . . . the King wishes that you delimit yourselves with the greatest of care . . . from giving them any just cause for complaint. . . . As to trade that may be carried on with the Spaniards, this is a matter that is to be conducted with the greatest of prudence and the greatest of circumspection. The Court of Spain holds the severest of views concerning prohibition of trade by foreigners in its colonies, and His Majesty is disposed neither to authorize nor to tolerate any enterprise that might invite complaints made to him on that subject. So, if any Frenchman happens to be taken in the act by the Spaniards, His Majesty forbids Monsieur de Ker-

⁵⁵ *Ibid.*, 87.

léréec to make any representations in his favor to the governors of that nation. When the Spaniards themselves come to trade in the Colony you may admit them and also conduct yourselves in such manner as to encourage them to come. . . .

After these observations, which will sufficiently acquaint you with the King's intent in everything that respects trade with the Spaniards, I might dispense with making others to you on the passage that concerns you in the information that has been given to the Duc de Duras. But this passage is so important in every way that I could not conceal from you that nothing would prevent His Majesty from visiting his displeasure upon a governor and an ordonnateur who should be capable of compromising themselves to the point of assuming control of this trade in order to carry it on for their own profit, or of compromising the King himself by disguising their enterprises through equipments that would appear to be made on his service. I express myself to you the more frankly on this point in that I believe you both to be far removed from indulging yourselves in such a scheme. . . .⁵⁶

Governor de Kerlérec knew quite well, as did the viceroy of Mexico, that war already progressing between French and British on the Ohio and war in prospect between French and British in Europe made necessary to French welfare the friendship and active aid of Spain. He had not protested to Adais the capture of Blanpain. A new viceroy coming to Mexico with his king's strict instructions of June 30, 1755, in part concerning French intrusions,⁵⁷ found occasion to remind Kerlérec on June 30, 1757, that Frenchmen of Louisiana still languished in the Mexican prison, but the governor of Louisiana refused the bait.⁵⁸ On the first convenient occasion that presented itself Kerlérec replied to the Marqués de Amarillas as follows:

I have never sought to approve *le nommé* Blanpain or to request his release, since he formed his project of settlement by means of some months of negotiation with the Indians, without my knowledge or my permission, which certainly I should have refused to him.⁵⁹

Failure of his intended entrapment disappointed the viceroy. Yet the governor's reply proved to him how well the strong colonial power of a feeble European nation could intimidate the feeble colonial power of France, at least in time of war. The viceroy expressed to his ministerial chief emotions predominantly

⁵⁶ Minister to Kerlérec and Dauberville, Versailles, March 2, 1755, ANC, B, 101:245-245v.

⁵⁷ *Instrucciones que los Vireyes de Nueva España dejarón á sus sucesores*, 94-103.

⁵⁸ Amarillas to Arriaga, Nov. 4, 1759, AGI, Audiencia, Santo Domingo, 86-7-11.

⁵⁹ Kerlérec to Amarillas, March 1, 1759, annexed to *ibid.*

joyful and forwarded Blanpain's companions to Spain for further examination or further punishment. Blanpain himself was not available for transportation. Five years of Mexican imprisonment had brought the aged interpreter of Natchitoches to death from exhaustion.⁶⁰

Kerlérec had answered the viceroy in conformity with the letter that the French minister had addressed to him, and to the ordonnateur, on March 2, 1755. That letter had destroyed all possibility of reclaiming army deserters from beyond the Spanish border. The governor found it necessary therefore to recapture deserters before they should cross the frontier. In the summer of 1756 Kerlérec brought Guedetonguay, medal chief of the Quapaw of Arkansas Post, and Toubamingo, medal chief of the Choctaw Ofogoula of Natchez, to agreement that they would arrest and deliver to the French posts all deserting French soldiers who might take refuge in their district.⁶¹

Deserters from Arkansas Post had travelled the westward road that the brothers Mallet had pointed out to them. The Comanche had opened that road for their passage and for the passage of traders. Yet now under orders from Versailles the governor knew that traders must not again travel that road. He better understood the power of the viceroy, and of the court of Madrid, than Inspector-General Diron had understood it. With the aid of the Quapaw he helped the viceroy to close the road from Arkansas Post to Santa Fé.

CHAPTER VI. THE ROAD TO SPAIN

On June 30, 1750, an agitated Spanish commander in Pensacola forwarded to the viceroy of Mexico a rumor that four French transports full of soldiers and colonists and thirty-six merchant ships laden with merchandise had arrived at the mouth of Mississippi River.¹ The French intended, the viceroy understood, to form fortified settlements beyond Red River in lands claimed both by France and by Spain. The treaty of Aix had freed Europe of war for a while, and France was in fact beginning a plan of colonial reinforcement that in the following year raised the army of Louisiana to 37 companies of 50 men each, in addition to the 150 Swiss troops already in service. One full

⁶⁰ The King to Amarillas, May 4, 1760, *Royal Cédulas, 1631-1793*.

⁶¹ Harangue, June 20, 1756, ANC, C¹³A, 39:177-180.

¹ Statement of Revilla Gigedo, *Diligencias*, folio 4, AGM, Historia, v. 299.

company the governor assigned to Natchez and another to the Arkansas Post.² To the Natchez commandant he accorded among other subalterns Lieutenant de Montchervaux and permitted the lieutenant's son to be carried on the rolls as *cadet soldat*.³

A detachment serving at a small post, such as the Arkansas had been, was a resident force remaining unchanged through the years except by reason of death, disability or desertion. If plans did not go awry the full company or battalion garrisoning a larger post was changed in part every year. Now at the Arkansas the governor formed plans (never to be carried out) to station an experienced colonial officer, a captain necessarily; when the officers newly arrived from France should have gained colonial experience he would assign one to Arkansas Post and thereafter change the commandant each year with the change of troops.⁴

The garrison of Arkansas Post, reduced by desertion to Santa Fé in 1748, reduced its force further and maintained itself only by the number of six soldiers with a corporal as the only noncommissioned officer among them. Ensign de Lino learned in the spring of 1751 that commissioned officers were about to be shifted from post to post, and he feared for his tenancy of the Arkansas, one of the most profitable in trade in all the colony. To guard his vested interest he left his post in charge of his corporal and came down to New Orleans in June without the formality of gaining permission beforehand. This was too much even for the forbearance of his kinsman, the governor, who sent him back to the Arkansas after only the 48 hours that a neutral power grants to armed visiting nationals of a belligerent. Arrived again at his place of duty the ensign found that his five private soldiers, led by his corporal, had deserted him and taken with them along what he called "the road to Adais" the contents of the storehouse, some of which was even his own property. With barracks and stores equally empty, Ensign de Lino wrote to New Orleans for replacements of men and goods.⁵

Governor de Vaudreuil transferred Ensign de Lino elsewhere. At a time when he chose for the Natchez a commander, Henri d'Orgon, who was of distinguished if left-handed descent,

² Distribution of the troops of Louisiana, Loudon Papers, 270.

³ Statement of French troops maintained in Louisiana, *ibid.*, 299. The lieutenant may have been the oldest son of the former Arkansas commander.

⁴ Vaudreuil to the minister, April 28, 1751, ANC, C¹³A, 35:81v.

⁵ Same to same, July 20, Michel to same, July 20, 1751, ANC, C¹³A, 35:159v-160, 327-327v.

a chevalier of St. Louis and the third in order of seniority among Louisiana captains, he chose for the Arkansas an experienced officer whose position among captains was fifteenth.⁶ At the earlier time, in 1746, when he had written with warm appreciation of Ensign de Lino's talents, the governor had written as follows of Lieutenant de la Houssaye:

This officer is exact in his duty and likewise would have talents for being employed, but his passion for drink is an obstacle in the way. I was even obliged two years ago to cause him to be relieved from the Alibamous Post for this reason, after giving him several charitable warnings on the subject, but without effect. In addition, his character could not be worse or more dangerous.⁷

A friend at court may have provided influence to counter-balance the governor's disapproval. Lieutenant de la Houssaye received promotion to a captaincy as of October 1, 1750,⁸ and continued in the military service of Louisiana. In later years he became major of New Orleans and a chevalier of St. Louis.⁹ In 1752 Captain de la Houssaye assumed command at the Arkansas under appointment by Governor de Vaudreuil.¹⁰

An experienced and competent officer was needed nowhere more than at the Arkansas. Epidemic disease had struck the Quapaw again early in 1751¹¹ reducing the number of their warriors by one-third, and therefore to 150, before the end of 1752. In the spring of 1751 the Osage, who were French allies, had sent down war parties through the land where there are bears to raid the Quapaw and the Caddo, likewise French allies.¹² In the same year British influence had penetrated the Illinois Country so far that Indians of the Illinois, if not of the Illinois nation, had carried war belts to the Quapaw on behalf of the British.¹³ The Miami, the Illinois' neighbors at the east, were inviting a French expedition in retaliation for their hostile spirit. At

⁶ General statement of the troops of Louisiana, September, 1752, ANC, D²C¹, No. 8.

⁷ Annotated list of officers, 1746, ANC, D²C, 51:189-189v; it appears that the reference is to the future commandant of the Arkansas. For the two Lieutenants de la Houssaye in Louisiana at this time see Pease and Jenison, *Illinois on the Eve of the Seven Years' War*, 670n. Two letters of September, 1749, requesting transfer to another colony (Loudon Papers, 188, 189) appear to be the work of the La Houssaye who was transferred to Canada in 1750.

⁸ *Ibid.* La Houssaye may have been of the family of Le Pelletier de la Houssaye, who had succeeded John Law in 1720 as comptroller-general of France.

⁹ Pease and Jenison, *op. cit.*, loc. cit. For a picture of his house of later days in St. Martinville see Lauvrière, *Histoire de la Louisiane Française*, 415.

¹⁰ Delino was commandant as late as November, 1751; La Houssaye, as early as October, 1752; Pease and Jenison, *op. cit.*, 321, 739.

¹¹ *Ibid.*, 739.

¹² *Ibid.*, 313-314; Vaudreuil to the minister, July 20, 1751, ANC, C¹A, 35:159v.

¹³ Pease and Jenison, *op. cit.*, 334.

Natchitoches, the Caddo Post, Joseph Blanpain was to bring back word from the westward on October 29 that the Spanish commandant of Adais was negotiating with the Apache of Texas and other tribes to build a string of forts that should hold Indians to the Spanish interest.¹⁴

To hold the Quapaw to the French interest Ensign de Lino had removed his fort up Arkansas River to higher land on the easterly bank of the bend now called Lake Dumond, where Arkansas Post was to undergo changes without change of position (by more than 100 yards or so perhaps) until and after the end of French domination. Houses to shelter and serve one officer and a small detachment of soldiers were built by the soldiers themselves and by the resident *habitants* and *voyageurs*, but only as Indian lodges of bark on a structure of poles sunk into the ground.¹⁵ Drafts on the colonial treasury given in payment for this work performed appear to have been converted in New Orleans into terms of Ordonnateur Salmon's depreciated paper money, for workmen of the Arkansas continued to complain through the years that they had received in hard money only half the pay that had been promised them. Their materials, if not their work, warranted a deduction from their pay, for within two years the new buildings had deteriorated more than the builders' money. Captain de la Houssaye let the structures stand, but for his company he found it necessary to create an entirely new post.¹⁶

To the new Arkansas Post the governor had assigned Captain de la Houssaye (who was accompanied by his wife),¹⁷ and had promised him one first ensign, two second ensigns and 45 enlisted men including cadets.¹⁸ The effective strength of enlisted men amounted in September to 41, only two less than that of the Natchez garrison.¹⁹ François Sarrazin, the interpreter who aspired to a military commission,²⁰ and the reverend Father Carrette, the Jesuit missionary,²¹ had accompanied the Arkansas Post

¹⁴ Blanpain, deposition, Oct. 29, De Blanc to Vaudreuil, Oct. 31, 1752, Loudon Papers, 401, 402. The commandant of the Natchitoches was Deblanc; the lieutenant was Pain; the interpreter was not Blanpain but Blanpain, and he signed his name thus in a crabbed hand.

¹⁵ Statement of labor and materials, 1758, ANC, C¹³A, 40:349.

¹⁶ La Houssaye to Vaudreuil, Arkansas, Dec. 1, 1752, Loudon Papers, 410. La Houssaye does not indicate the location.

¹⁷ *Ibid.*

¹⁸ Numerical statement of the officers at the different posts, September, 1752, ANC, D²C, 51: No. 7.

¹⁹ Statement of the posts, September, 1752, ANC, D²C, 51: No. 9.

²⁰ La Houssaye to Vaudreuil, Dec. 1, 1752, Loudon Papers, 410. Sarrazin may have been a son of the former *garde magasin* of that name who in 1725 was living in Chartres Street, New Orleans: Census of Jan. 1, 1726, ANC, G¹ 464.

²¹ *Ibid.*

in its removal up the river. On the bend now called Lake Dumond a new post suitable for a full company of men rose in the course of the year 1752. Yet the minister of the marine and of the colonies continued in France to assume that Captain de la Houssaye's company occupied the post that retroactively he had authorized Ensign de Lino to build on Lake Dumond for a detachment.

Governor de Vaudreuil did not dare confess to the new minister of the colonies, with whom he had no personal acquaintance,²² that the Arkansas Post he had ordered built in 1749 without ministerial sanction was useless after only two years' occupancy. One source of revenue for the costs of Captain de la Houssaye's improvements appeared in a precedent that the previous minister had established. Though trade was free at the posts of Louisiana for all who wished to engage in it, that minister had approved Vaudreuil's scheme of building a fort in the Osage Country (Missouri) to be paid for by a five-year trade monopoly there.²³ Now at the profitable Arkansas Vaudreuil gave to Captain de la Houssaye, without ministerial knowledge or permission, a monopoly of Indian trade from the proceeds of which should be paid the costs of the new post. The illness of the ordonnateur and his death on December 18, after a fourth stroke of apoplexy, assured the governor that the commercial branch of government would not reveal his scheme. For his own part he thought it suitable not to report on the matter and was long out of office when the minister in France became aware of his ingenuity.²⁴

Governor de Vaudreuil's estimate of Captain de la Houssaye's character was confirmed in 1752 by Captain Benoist de Ste. Claire, former acting-commander of the Illinois Country. A sunspot period had rolled far enough around to bring to the Mississippi Valley a dry season such as that of 1732. The bateaux of Benoist's Illinois convoy had left New Orleans early in July, but in November the shallowed Mississippi held them fast nearer to Natchez than to the mouth of the Arkansas. To pirogues sent down from La Houssaye's post and the Quapaw village the men of the convoy transferred themselves and their cargoes for a voyage up the Mississippi and up the nine leagues or so of bars

²² Vaudreuil to the minister, May 8, 1751, ANC, C¹³A, 35: 97.

²³ Gayarré, *History of Louisiana*, II, 23; Vaudreuil to the minister, March 15, 1747, ANC, C¹³A, 31:21-21v.

²⁴ Pease and Jenison, *op. cit.*, 880.

and currents that still lay between them and the place where they must pass the winter. The dry season had caused a crop failure at the Arkansas; the oldest inhabitants had not seen the like. Illness in the Quapaw villages had restricted hunting. Buffalo were so thin that little meat and suet was to be had. Last winter's bear's grease from the land of the Mento had become a scarce commodity.

Captain de Benoist led his soldiers into camp in the ragged cabins that had been Ensign de Lino's old post, outside the newly finished palisade of Captain de la Houssaye's garrison, where three 3-pounder cannon and 13 cannonballs defied the Chickasaw.²⁵ He insisted on letting his men trade with the Quapaw who brought their products for sale at the post. Thus he violated the terms of the monopoly whereby the governor had promised that La Houssaye should repay himself for the borrowed money (cash this time, and not drafts on New Orleans) that he had spent on construction of his fort and of the buildings within and without it. Benoist's estimate of La Houssaye's character and habits led him to warn his host that in case of attack by the Chickasaw he would bring his men within the palisade and take command of the entire French force. La Houssaye's reaction resulted in sending a corporal and two private soldiers to New Orleans bearing his letter of complaint to the governor.²⁶

The messengers snagged their boat a few leagues below the Arkansas mouth, and the message they carried reached New Orleans almost too late for delivery to the Marquis de Vaudreuil, whom Louis Billouart de Kerlérec succeeded on February 9, 1753. La Houssaye's unfitness for command at the Arkansas was apparent to the new governor, who relieved him of duty there in August and appointed in his stead Captain de Reggio, whom Vaudreuil had stationed in command of the equally profitable Petit Weas, or Post Vincennes, on Wabash River. But first in early summer the governor invited to New Orleans the Quapaw chief Guedetonguay, whom La Houssaye had chosen as medal chief, and seventeen of those minor chiefs and elders whose Indian title the French translated as *considérés* and the English translated as "beloved men." He flattered, entertained and fed them so well during two weeks that they went back home filled mo-

²⁵ Tabulation of artillery in the posts (enclosed with Kerlérec and Salmon to the minister, Aug. 24, 1753). ANC, C¹³A, 37:47.

²⁶ La Houssaye to Vaudreuil, Dec. 1, 22, 1752, London Papers, 410, 419; Pease and Jenison, *op. cit.*, 735, 737-739, 742-743, 806-808.

mentarily with the enthusiasm for the French that neither Ensign de Lino nor Captain de la Houssaye had impressed upon their minds²⁷ and without which Kerlérec feared they might go over to the British.

His fear was well grounded; war was making itself ready. Chickasaw were continuing to attack French boats on Mississippi River. The British Ohio Company was fortifying the confluence of the Allegheney and the Monongahela. Within the year the French were driving out the British and establishing Fort Duquesne. In the spring of 1754 they defeated young George Washington of Fort Necessity. Thus was beginning the nine years' war of North America, which Europe knew only as a war of seven years. Though the 1850 men of 37 French companies that Louisiana could count in 1751 had become reduced in number to 1276, Governor de Kerlérec cautiously maintained a full company of fifty men at Arkansas Post.²⁸

A trader of Opelousas named Massé came cautiously to Adais in 1755 with a petition, which the viceroy was to reject, for permission to settle on the Trinity where Blanpain had settled in 1754 without permission. Massé promised in payment to secure to the Spaniards the allegiance of Norteños, including the Wichita Tawehash.²⁹ Blanpain's report of 1752 concerning the Apache proved to be in part correct when in 1756 Don Diego Ortiz Parilla, a colonel of dragoons, received viceregal orders to build near the San Sabá River of Texas a military post where he himself should command 100 soldiers and to build also, at a distance of a league or so, the Apache mission of San Luis de Amarillas.³⁰

Norteños came in 1758 to attack the mission, which they desolated. A messenger brought word to San Antonio that the post was surrounded by 2,000 Norteños led by Frenchmen, but in time the enemy retired. To punish the raiding Indians, whom Colonel Ortiz Parilla identified as Massé's Tawehash, the governor sent out an expedition in August, 1759, with Colonel Ortiz

²⁷ Pease and Jenison, *op. cit.*, 822; *cf. ibid.*, 739.

²⁸ Current estimate of the strength of the French garrisons, Sept. 10, 1754, ANC, C¹³A, 38:213.

²⁹ Arriaga to Amarillas, Aug. 20, 1756, *Royal Cédulas, 1631-1793*, AGN, Historia, v. 321; Amarillas to Arriaga, Nov. 4, 1759, AGI, Audiencia, Santo Domingo, 86-7-11; Herbert Eugene Bolton, "Spanish Activities on the Lower Trinity River, 1746-1771," in *Southwestern Historical Quarterly*, XIV (1913-1914), 367.

³⁰ In Menard County, Texas, 120 miles from the New Mexico state line. *Cf.* Amarillas to Barrios y Jauregui, May 29, 1756, Nacogdoches Archives; *Relacion de los Meritos y Servicios del Coronel Don Diego Ortiz Parrilla*, third item in *Papeles relativos al Coronel Diego Ortiz Parilla*, AGI, Audiencia, Guadalupe, 104-6-17. The region is described in Dobie, *Coronado's Children*, 1-61.

Parilla himself leading 500 soldiers and mission Indians 150 Spanish leagues (450 English miles) to the northward of San Antonio and into the country where there are bears. In this hinterland of Arkansas Post and Natchitoches, claimed however by Spain, somewhere near the confluence of Red River and Pierre Mallet's Wachita, at or near the point to which Andry Fabry de la Bruyère once had sent Pierre Mallet for horses, the Spanish expedition found the Norteños, 6,000 of them the colonel said, within a European fortification of stockade protected by a ditch and its parapet. Above their stronghold the defenders "with audacity and arrogance" kept flowing the flag of France. The European style in which the Norteños repulsed effectively the Spanish attack, as well as the style of their fortification, acknowledged the directing presence of white traders, or deserters perhaps from Natchitoches and Arkansas Post. The Spaniards, like the Tawehash in the earlier year, retired. Their expedition had cost the viceregal government \$60,000.³¹

King Louis XV would have learned with regret of hostilities between even outlaw French subjects and the subjects of his royal cousin, King Ferdinand VI of Spain. He needed the aid of his distrustful Spanish ally, for on May 18, 1756, Great Britain had declared war upon him. The British navy sailed with such effect against French transatlantic commerce that Governor de Kerlérec's messenger Jacques Livaudais, seeking Spanish supplies for a New Orleans devastated by hurricane, wrote to the viceroy from Vera Cruz on June 7, 1757, that since eighteen months past the French colony had received "not the least communication from France, or merchandise and powder, which is the principal item of Indian trade."³²

From the Arkansas in June, 1756, Governor de Kerlérec had received a visit not from a viceroy but from an Indian king, the Quapaw medal chief, attended by various Quapaw *considérés*, who asked of him a favor that he could not surely grant without referring it first to the minister in France. The medal chief even

³¹ Arriaga to Amarillas, Aug. 12, 1758, *Royal Cédulas, 1631-1793*, Nos. 265, 266; report on Spanish claims to Texas, Nov. 27, 1804, AGI, Audiencia, Santo Domingo, 86-5-24; Bolton, in Frederick Webb Hodge, ed., *Handbook of American Indians North of Mexico* (2 v.: Washington, 1907-1910), II, 705-706; William E. Dunn, "The Apache Mission of the San Saba River," in *Southwestern Historical Quarterly*, XVII, 379-414. The chief tribe among the raiders of San Sabá was the Tonkawa, according to Father Morfi, in Chabot, *Excerpts from the Memorias*, 7.

³² Livaudais to Amarillas, June 7, annexed to Amarillas to Arriaga, July 22, 1757, AGI, Audiencia Santo Domingo, 86-7-11. Apparently Livaudais brought back with him the "Spanish gunpowder" with which Arkansas Post was soon supplied: Layssard to Rochemore, Dec. 13, 1758, ANC, C¹A, 40: 339.

threatened therefore that the *considéré* who held the position of Quapaw high priest (and who was present at the conference) would revolt against the French.³³ The governor in alarm decided to strengthen Captain de Reggio's Arkansas garrison with 60 soldiers under command of the chevalier d'Erneville, a ranking captain from the Mobile district³⁴ who was Reggio's brother-in-law.³⁵ In May of the following year³⁶ Kerlérec appointed to succeed Reggio (and d'Erneville) in the Arkansas command of 50 men a junior but admired officer of the colony, Captain de Gamon de la Rochette.

Gamon in Europe had been first a captain of militia in the Battalion of Romans; his Louisiana captaincy dated only from 1750.³⁷ Greedy of money, rude and forceful of manner, he gained ill will from at least one subordinate officer,³⁸ hatred from the ordonnateur's agent in the Arkansas³⁹ and condemnation from the religious order of Father Carette, the resident missionary.⁴⁰ Yet when he returned to France in 1763 there went with him the governor's recommendation for a cross of St. Louis in recognition of his success in holding the Quapaw of their French allegiance throughout the Seven Years' War, and from the hand of a nobleman he received his cross.⁴¹

Captain de Gamon went up to the Arkansas with a promise of a captain's salary, which was 1080 livres a year, and also of a bonus. Against his salary already due and against his prospects he collected from the ordonnateur, before leaving New Orleans, a total of 2500 livres. With a merchant of New Orleans he arranged for the handling of the Arkansas products in which he intended to deal,⁴² even though a trade monopoly no longer existed at Arkansas Post. On the Arkansas he found in the spring of 1757 that the buildings raised by Captain de la Houssaye in 1752 were already in ruins.

³³ Harangé, June 20, 1756, ANC, C¹³A, 39: 177-177v.

³⁴ ANC, D²C, 51: No. 8; Marc de Villiers du Terrage, *Les Dernières Années de la Louisiane Française* (Paris, 1904), 67.

³⁵ D'Erneville to Berryet, Dec. 25, 1758, ANC, C¹³A, 40: 258-260.

³⁶ Cf. Gamon to Descloseaux, Nov. 8, 1758, ANC, C¹³A, 40: 301-302v.

³⁷ Statement headed "1747-1758", ANC, D²C.

³⁸ Monin de Champigny to Descloseaux, Nov. 5, 1758, ANC, C¹³A, 40: 300.

³⁹ Laysard to the ordonnateur, Oct. 11, Nov. (?), Dec. 13, 1758, ANC, C¹³A, 40: 325-327v, 328-329, 339-341.

⁴⁰ Thwaites, *Jesuit Relations*, LXX, 21 ff., in Clarence Walworth Alvord and Clarence Edwin Carter, *The Critical Period, 1763-1765* (Springfield, 1913), 83-84.

⁴¹ Surrey, *Calendar of manuscripts*, II, 1450, 1452, 1453.

⁴² Cf. Gamon to Descloseaux, Nov. 8, 1758, ANC, C¹³A, 40: 301-302v.

On the curving left bank of the bend now known as Lake Dumond⁴³ only half a dozen houses stood looking westward in a line perhaps sixty yards from the river, with the fort separating them into two groups. Next below the fort was the 16 by 25 foot dwelling, divided into two or perhaps three rooms, of Etienne Maraffret Layssard,⁴⁴ the commissary of *garde magasin*, subordinate to the ordonnateur in New Orleans. Below Layssard, at the end of the village, lived Hollindre, a *habitant*. At the other end, above the fort, lived Father Carette. Joseph Landrouy⁴⁵ (a soldier of Reggio's company but permanently assigned to Arkansas Post to farm a plot of ground and act as courier to New Orleans), a *habitant* La Fleur and François Sarrazin, the interpreter, completed the number of civilian householders domiciled on the river bank. The presence of slave cabins, barns and other outbuildings is a subject of inference. A suburb occupied by other *habitants* and by *bourgeois* and *engagés* may have stood less than one mile distant on the upland where seventy years earlier Jean Couture and Jacques Cardinal had built their log cabin.⁴⁶ The Quapaw appear already to have withdrawn themselves into one village at or near the Kappa site of 1723, where they were to remain into Spanish times.

From the bank or bluff of the river the land sloped downward one inch in fifteen feet for a distance of 300 yards or more, to rise again to the level of the distant Grand Prairie, and from the rear of Layssard's lot a ridge traversing more distant fields crossed the lowland to the upland. Thus the inhabitants of the post held assurance that in case of flood they might escape to dry land, even though for the moment up to the neck in flood-

⁴³ Description of the post and of its location and relative heights of land is drawn from passages in the 11-page letter of Layssard to Descloseaux, Feb. 5, 1758, ANC, C¹³A, 40:306-312. If the late eighteenth-century cutoff "insulating" Lake Dumond has not destroyed the site of Captain de Gamon's post, evidences may perhaps still be found at the extremity of the southeast angle of Section 19, about one mile southwest of the point previously indicated as that of Tonti's post. According to Layssard's topography the point of high land extending southward from the Indian mound west of Tonti's post touched the rear of Layssard's land just below the land behind the fort.

⁴⁴ Layssard's French is Canadian. He signs only his surname. He writes a pretentious and execrable secretarial hand and forgets how to spell. In 1763 when Layssard was no longer *garde magasin* at Arkansas Post a man of this full name was occupying a position of slightly higher grade in the ordonnateur's department: Alvord and Carter, *The Critical Period*, 129. Since Layssard was carried on the post's ration return as *garde magasin* it seems probable that the Nicolas Maraffret Layssard carried on that same return, and on the musterroll too, as a cadet was his son; cf. musterroll, Oct. 10, 1758, ration return, Jan. 1, 1758, ANC, C¹³A, 40: 365-366v, 368-368v, and Michel to the minister, July 20, 1751, ANC, C¹³A, 35: 158-163, in Gayarré, *op. cit.*, II, 61-62. For Nicolas and his elder brother Jean-Baptiste, cf. Herbert Eugene Bolton, *Athanaze de Mézières and the Louisiana Texas Frontier, 1768-1780* (2 v.; Cleveland, 1914), index.

⁴⁵ The baptismal name of this frequently mentioned man is in Statement of troops in garrison at the Arkansas, Oct. 1, 1763, ANC, D³C, 52: No. 25. At that time Landrouy was still at the post but living retired on a pension.

⁴⁶ Cf. *Arkansas Historical Publications*, IV (1917), 447.

water like Le Moyne de Bienville in the Tensas Basin. Their new position possessed an advantage of perhaps five feet in elevation above the recent site below the forks, but highwater marks on the trees gave proof that, not many years in the past, water had risen twenty-seven inches above the level on which the houses were built.

The fort that Captain de la Houssaye had set on Arkansas River appears to have changed its size and position not at all in the remaining years of French domination. It may have been a square stockade about 180 feet on each side, enclosing therefore about one arpent of ground. Its front curtain paralleled the river at a distance of somewhat less than 100 yards. A ditch surrounded the fort. The earth removed from the ditch made an outer line of parapet less than two feet high at the front and perhaps three feet at the rear, but not four feet like the parapet levee of the older fort below the forks.⁴⁷ The customary barracks and powder magazine occupied positions within the circuit, as did perhaps some lesser buildings of temporary construction. All had become unfit for habitation or for other use. The commandant's house stood outside the palisade in an irregular expanse of esplanade grown up with grass and brush,⁴⁸ which contained also the post bakehouse.

The *garde magasin* Layssard complained bitterly and always of poverty. Yet at the rear of a narrow yard adjoining the esplanade he occupied a house raised safely on foundations (posts, apparently), like the other houses of the village, above the possible level of flood water, but with only one hearth and chimney, both made of mud and sticks and straw. He owned five slaves and doubtless a yoke or two of oxen to work the fields behind his house. He owned one milch cow, twenty pigs, a flock of chickens, a dog and a cat. He had a wife and (hence the cow) four children. He was keeper of the storehouse, that is to say, of the garret of the powder magazine within the fort. In his dwelling house he conducted the business of a general merchant, with merchandise of his own in the garret. His house served also as the village wine shop, without competition except for the mili-

⁴⁷ Layssard's proposal for a levee surrounding the post reveals that the parapet at the rear of the fort was about 150 yards from the river bank. Pittman, *Present State of the European Settlements*, 40 and map, purports to describe the Arkansas Post of the 1760's, but the description is in fact at second-hand and of Ensign de Lino's post of the 1740's below the forks; cf. *Arkansas Historical Publications*, IV (1917), 401.

⁴⁸ Gamon to Descloseaux, Nov. 8, 1758, ANC, C¹³A, 40:302; Statement of work and materials, 1758, ANC, C¹³A, 40:349v.

tary cantine kept by the baker, who was a soldier of the garrison. He was the ordonnateur's only permanent representative at Arkansas Post and therefore was army paymaster. By means of memorandum receipts and of drafts on the ordonnateur he carried on such a business in finance as a country bank carries on with its banking correspondent in a big city.⁴⁹

In the time of Captain de Reggio the *garde magasin* had begun to protect his house and garden with levees five and six feet broad at the base and from 12 to 18 inches high. The parapet of the fort scarcely exceeded Layssard's highest levee in height. Captain de Gamon found little need of improving his fortifications, but the principal buildings within the enclosure were beyond repair. The ordonnateur sent two agents in 1757 and another in 1758 to build everything anew. Their first work was to erect Indian lodges on the esplanade⁵⁰ to house temporarily a garrison fluctuating in size but averaging 40 men, including six noncommissioned officers and one Polish drummer.⁵¹ Captain de Gamon occupied his dwelling on the esplanade. Posterity lacks information concerning the housing of First Ensign Dussau, Second Ensign Bachemin and the ordonnateur's temporary agents, Monin de Champigny⁵² and Badon,⁵³ serving as architects in 1758. Debat, the architect of 1757, lodged in Layssard's house and left for the Illinois owing Layssard an 18-month board bill.⁵⁴

Unaccustomed prosperity among the soldiers, *habitants* and *voyageurs* caused the workmen to spend too much time in the cantine and in Layssard's wineshop and too little time in the cypress brake where in the latter months of 1757 wood was cut and fashioned for new buildings.⁵⁵ Heavy rains beginning on January 27, 1758, interrupted work and caused the rising Arkansas to fight backwater from the Mississippi. On February 1 a great flood coming down the Mississippi began to make itself felt. Welling up through the lagoon where once the river had flowed past Tonti's post, it topped the ridge in Layssard's fields and poured down to flood the lowland behind the fort and Father

⁴⁹ Correspondence of Layssard and Gamon with the ordonnateur, 1758, ANC, C¹³A, 40: 291-364, *passim*.

⁵⁰ Statement of work and materials, 1758, ANC, C¹³A, 40: 349.

⁵¹ Musterroll, Jan. 1, 1758, ANC, C¹³A, 40: 368-368v. Monin de Champigny, Nicolas Maraffret Layssard and François Sarrazin (perhaps the infant son of the interpreter) were carried on the roll as cadets, apparently in order that they might draw rations.

⁵² His correspondence in the archive section cited, *passim*.

⁵³ Layssard to Descloseaux, Oct. 11, 1758, and ration return, Jan. 1, 1758, ANC, C¹³A, 40: 325, 327, 368-368v.

⁵⁴ Same to same, June 19, 1758, ANC, C¹³A, 40: 315.

⁵⁵ Monin de Champigny to Descloseaux, Jan. 10, 1758, ANC, C¹³A, 40: 345.

Carette's rectory. On February 5 backwater from the crest in the river washed over the bank of Arkansas Post, even over the levee around Layssard's house.

Only Layssard's garden levee and the parapet of the fort held firm, with four inches of earth above water. Water lay around and beneath all the houses and around the fort. Into one room of his 18 by 25 foot dwelling Layssard took his twenty pigs. The rest of his living space sheltered Layssard, his four children, his wife (about to increase the number of children to six),⁵⁶ his five slaves, his dog, his cat, his chickens. His cow remained outside standing in water from ten to fifteen inches deep. Five feet and more of water covered his fields at the rear.⁵⁷

The flood discouraged Father Carette, who sold his household goods at auction and in August went down to New Orleans,⁵⁸ but the post had lost no time in preparing for continued existence. As the waters began to subside, workmen began the task of clearing brush from within and about the fort, and dragging and scraping with a level of timber the earth of the esplanade, which was still mud beneath the level of the swollen river.⁵⁹ Not until mid-June did the water drain sufficiently from the cypress brake to permit renewal of logging.⁶⁰ Early in November the barracks and the new house for the commandant, within the fort, were framed and awaiting the wintertime splitting of cypress planks for siding and roofs, floors and ceilings.

Costs of this work alone to date had risen to 16,430 livres.⁶¹ On December 24 the chief engineer in New Orleans certified to the ordonnateur's department an additional bill of 1807 livres for miscellaneous labor, repairs to the new cabins without the fort (preserved for use of the convoys) and the construction of an 18 by 26 foot lodge, built of poles without foundation but roofed and sheathed with planks and surrounded by a stockade, as a guesthouse for Indians coming to trade at the post. The bakehouse had been enlarged and fortified and the old powder magazine within the fort almost rebuilt.⁶² About September 1,

⁵⁶ Layssard to Descloseaux, June 19, 1758, ANC, C¹³A, 40: 315.

⁵⁷ Same to same, Feb. 5, 1758, ANC, C¹³A, 40:306-312. For a similar situation in the commandant's house, see Alvord and Carter, *The Critical Period*, 83-84.

⁵⁸ Layssard to Descloseaux, Aug. 16, 1758, ANC, C¹³A, 40: 317.

⁵⁹ Statement of labor and materials, 1758, ANC, C¹³A, 40: 349.

⁶⁰ Layssard to Descloseaux, June 19, 1758, ANC, C¹³A, 40: 315v.

⁶¹ Monin de Champigny to Descloseaux, Oct. 9, Layssard to same, Oct. 11, 1758, ANC, C¹³A, 40: 295-295v, 326-326v.

⁶² Statement of labor and materials. Construction by half-timbering, as in the Illinois, was not practiced at the Arkansas, since no brick was made there and the Illinois had not yet delivered a promised first shipment of lime even for fireplaces and chimneys: Layssard to Descloseaux, June 19, Aug. 16, Oct. 11, 1758, ANC, C¹³A, 40: 314v, 317v-318, 326v.

1759, news could start on the way to the ordonnateur that the exteriors and interiors and all other needs of Captain de Gamon's Arkansas Post had been cared for,⁶³ at additional expense. Yet within five years a new commandant was reporting to New Orleans that the post again stood in ruins.⁶⁴

The greedy commandant Gamon asserted for himself a monopoly of Quapaw trade⁶⁵ long before Fort Duquesne on the Ohio fell to the British on November 25, 1758. Arkansas Post was only just completed when on September 13, 1759, the British prevailed over French troops of Canada on the Plains of Abraham. Captain de Gamon was still holding the Quapaw to allegiance on August 15, 1761, when King Louis XV and his Spanish Bourbon cousin the new King Charles II effected in Europe a new "family compact" of alliance, and likewise on November 23, 1762, when the English and the French finished their draft of the Treaty of Paris, to end the Seven Years' War and to give to Great Britain Spanish Florida and the Mexican dependency of Pensacola. Captain de Gamon's work on the Arkansas was done. Leaving a first ensign in command he went down to New Orleans and in July, 1763, sailed for France. Already the British had occupied Pensacola, capital of their new colony West Florida, which they regarded as including not only Natchez but also the Chickasaw country.

On August 8 at St. Malo the ageing Benard de la Harpe, happy in the promise of a position as inspector of fisheries of St. Malo Bay, repaid his patron at court by recommending the transfer of the garrison, inhabitants and Indians of the Illinois Country and also many French of Canada to Arkansas River, there to create a great military and trading center for beaver peltry of the Missouri, the Arkansas and the land of the Mento.⁶⁶ On September 27 Captain de Cabaret de Trépi and First Ensign de Montchervaux arrived from New Orleans to assume at Arkansas Post the command held temporarily by First Ensign de Brichet.⁶⁷ A new governor in New Orleans sent Ensign de Grandcour to succeed Debrichet early in 1764.⁶⁸ The governor had tried to conceal from French and Indians of Louisiana

⁶³ Rochemore to the minister, June 23, 1760, ANC, C¹³A, 42: 121.

⁶⁴ De Villiers, *Les Dernières Années*, 191.

⁶⁵ Layssard to Descloseaux, Feb. 5, Dec. 13, 1758, ANC, C¹³A, 40: 311v-312, 339-339v.

⁶⁶ Benard de la Harpe to Choiseul, Aug. 8, 1763, ANC, C¹³B, 1, ff. 4-5, 7.

⁶⁷ Musterroll, Oct. 1, 1763, ANC, D³C, 52: No. 25.

⁶⁸ Abbadie's journal, in Alvord and Carter, *The Critical Period*, 169, in which the ensign's name is read as Buetet.

knowledge of the fact that France had ceded the province to Spain, but the news spread fast. In the spring of the year Captain de Cabaret came down with Quapaw chiefs, who pleaded with the governor⁶⁹ not to deliver them to the Spaniards who had shown so great enmity to their friends the Norteños in the land where there are bears. But no reason appeared now to the governor for continuing expenses at the posts; Ensign de Grandcour succeeded Captain de Cabaret in command of ruins at the Arkansas.⁷⁰

On March 6, 1766, the first governor of Spanish Louisiana came ashore at New Orleans. Like his successor he gladly inducted into the Spanish Infantry Battalion of Louisiana and into the militia those French colonial officers who were willing to continue their familiar task of governing Indian tribes and administering white settlements. He accepted Alexandre de Clouet of Rouen, whose thirty years of French service in Louisiana had not quite earned him a cross of St. Luis.⁷¹ To counterbalance the new British force of Natchez he sent Captain Pedro Piernas to begin in September, 1767, the building of a post on the Mississippi right bank, to be called Fort San Luis de Naches.

In January, 1768, Captain de Clouet paid a visit to the new Spanish fort,⁷² on his way to the Arkansas, where Ensign de Grandcour still commanded for France.⁷³ On his way to take command of the Illinoises (Missouri), Captain Piernas himself stopped at the Arkansas in October. There at the ruinous Spanish post of Los Arcos on the river bend he found Captain de Clouet peacefully commanding the Fuerte de Arkanzas for Spain.⁷⁴

⁶⁹ *Ibid.*, in De Villiers, *Les Dernières Années*, 191.

⁷⁰ Alvord and Carter, *The New Régime*, 133.

⁷¹ Surrey, *Calendar of manuscripts*, II, 1548.

⁷² Piernas to Ulloa, Feb. 1, 1768, AGI, Papeles de Cuba, Legajo 2357.

⁷³ Same to same, July 6, 1767, Legajo 2357.

⁷⁴ Same to same, Oct. 13, 14, 1768, Legajo 2357.

✓ COLONIAL FORTS OF LOUISIANA¹

By H. MORTIMER FAVROT

Having been invited by the president of this society to say something in regard to the Favrot Papers, I felt it was a matter that could be dealt with by someone else with greater propriety. Believing, however, that a great deal of the material contained therein might enable me to discuss intelligently some related subject such as that indicated by the title of this paper, I agreed to make the attempt. I discovered to my chagrin that when the material was typed and ready, it was so voluminous that I am necessarily compelled to give you what is in reality an abridged edition.

We may skip the early explorations, I believe, and start in at once with La Salle. After earlier voyages during which he made some less important discoveries, La Salle started upon his greatest expedition in 1678, accompanied by Chevalier Henri de Tonti who was to be his faithful lieutenant for several years. For three years La Salle explored the Great Lakes, built several forts and collected furs. In 1680, he erected Fort Crevecoeur, or Broken Heart, on the east shore of the Illinois River not far below Peoria Lake. The exact site is a matter of dispute. La Salle was responsible for a scheme of building a chain of fortifications to extend from Quebec up the St. Lawrence, through the Great Lakes to the Mississippi and then down to its mouth. This plan, although abandoned later by him, as he was more pressed with exploration, was afterward adhered to by the French for nearly a century. It is estimated that more than sixty forts were erected from Montreal to New Orleans.

In 1682 La Salle arrived at the upper Mississippi. On the way he had established in the same year Fort St. Louis, about forty miles southeast of the present site of Chicago. It was built upon the top of Starved Rock, a level plain on top—with sides as steep as a castle wall—on the Illinois River. Its military history ceased with the departure of Tonti, the last commander, in 1702. Other forts established by La Salle were Fort Miami and Fort Prudhomme.

¹ Read before the Louisiana Historical Society at its regular monthly meeting of November 24, 1942.

Several accounts of La Salle's voyage down the Mississippi were preserved, notably those of Father Zénobe Membré, Jacques de la Metairie, notary and historian, and Tonti himself. The expedition reached the Gulf, and on the 9th of April camped on the right bank of the river. Formal possession was taken, and a cross and column were erected bearing the arms of France. A lead plate with the facts engraved upon it was buried at the foot of the column.

In 1685 Nicholas Perrot, a trader, began the establishment of a series of rough log forts. He built Fort Perrot at the southern end of Lake Pepin, and Fort Antoine on the eastern shore, two miles south of the present Stockholm. He also built Fort St. Nicholas at the mouth of the Wisconsin where Prairie du Chien now stands. While Perrot was pre-eminently the builder of forts on the upper Mississippi during French control, there were others. In 1693 or soon thereafter, Pierre Charles La Sueur is said to have erected a post on Madelene Island in Chequamegon Bay and on Prairie Island, opposite the present town of Red Wing.

One of the most colorful forts begun in the seventeenth century was Fort Niagara. A rather complete chronology of this post or fort appears in the *Historical Magazine*.² Quarters were first established at the site by La Salle in 1668. About twenty years later, M. de Denonville constructed a fort and left one hundred men there under command of Sieur de Troyes. A few years later, as these men had all died, orders were issued to abandon the fort. In 1725 the fort was rebuilt. It was the object of attack by the English in 1759, and after a nineteen-day siege the French under Captain Pouchot were forced to capitulate to Sir William Johnson. In 1763, during Pontiac's War, the Indians made an unsuccessful attack upon it. Later, Fort Niagara served as a base for war parties against the colonies during the Revolutionary War and was the last post surrendered by the English to the Americans.

Another fort built in accordance with La Salle's general plan was Fort Michilimackinac— or Mackinac, as it is often called. St. Ignace mission was established by Father Marquette about 1673. Two years later La Salle visited it in the "Griffin", the first vessel to sail the Great Lakes, where a palisade had already been erected. Its defenders were Indians. La Salle com-

² *Historical Magazine and Notes and Queries Concerning the Antiquities, History and Biography of America* (New York, 1857-1866), VIII (1864), 366.

pleted and strengthened the defenses erected by Marquette. This was the first Fort Michilimackinac. Later Cadillac visited St. Ignace and strengthened the work La Salle had done. In 1712, however, the settlement was moved to the southern side of the straits at the point where Mackinaw City now stands, and the second Fort Michilimackinac was erected. Parkman describes this second fort as having "palisades and wooden bastions standing close upon the margin of the lake."³

Fort Michilimackinac was the scene of a bloody massacre in Pontiac's War of 1763, when the English were surprised by the Indians during some Lacrosse games and all killed except a few high-ranking officers. In 1779 the English moved over to the Island of Michilimackinac, and the third fort of the same name was built. In 1796 it was turned over to the Americans. The following description of this fort in 1800 is given in a letter of Uriah Tracy, preserved in the files of the War Department:

Fort Michilimackinac is an irregular work partly built with a strong wall and partly with pickets, and the parade ground within is from 100 to 125 feet above the surface of the water. It contains a well of never-failing water, a boom proof used as a magazine, one stone barracks for the use of the officers, equal if not superior to any building of the kind in the United States, a good guard house and barracks for soldiers and convenient storehouse for produce, etc., with three strong and convenient block houses. This post is strong both by nature and by art and the possession of it has a great influence with the Indians in favor of the United States.

In 1702 Cadillac founded Detroit as an important point for the French control of the fur trade. He erected Fort Pontchartrain. In 1763 Detroit was in the form of a square, enclosed by a high palisade. At each corner was a wooden bastion upon which several pieces of artillery were mounted, and there were blockhouses over the gateway. The dwellings were about a hundred in number with narrow streets between, and with a broad space separating the houses and the palisades. All the buildings, including the chapel, were of wood. It was besieged by Pontiac from May to October, when the news came that the French would give him no help in continuing the fight against the English.

³ John Martin Hammond, *Quaint and Historic Forts of North America* (Philadelphia, 1915).

In 1727 René Boucher, Sieur de la Perrière, erected a fort on the western shore of Lake Pepin, which was named Fort Beauharnois.⁴ Father Guignas wrote thus of it:

The day after landing axes were applied to the trees and four days later the fort was entirely finished. It is a plat of ground a hundred feet square surrounded by stakes twelve feet high with two good bastions. For such a small space there are large buildings, detached and not crowded, each thirty, thirty-eight and twenty-five feet long by sixteen feet wide.⁵

Two years after its establishment, Fort Beauharnois was abandoned because of the attitude of the Sioux. After three or four years, it was again occupied for a while and was finally rebuilt in 1750, but six years later its garrison was withdrawn to aid against the English elsewhere.

Let us direct our attention at this time to developments far to the south. The attempt of La Salle in 1684 to re-enter the Mississippi from the Gulf and the failure of his expedition to locate the mouth of the river is well known; also his untimely end at the hands of disgruntled companions somewhere near the present borders of Texas and Louisiana in 1687. The energy of the French in exploring the American wilderness, however, was by no means exhausted.

In 1699 Iberville's expedition after ascending the Mississippi from the Gulf, returned to the coast of what is now the State of Mississippi. Iberville erected a fort at what is now Ocean Springs, and named the bay and the adjoining place "Biloxi" after the nearby Indians. The fort was named "Maurepas" in honor of Jean Frederick Phelypeaux, Count de Maurepas and son of Jerome de Pontchartrain. From the original Historical Journal of the expedition, we read:

We commenced to cut away the trees preparatory to the construction of the fort (March 8, 1699). The fort was made with four bastions, two of them of squared logs from two to three feet thick, placed one upon the other with embrasures for port holes and a ditch all around. The other two bastions were stockaded with heavy timbers which took four men to lift. Twelve guns were mounted.

⁴ A complete history of this Fort Beauharnois may be gleaned from Reuben Gold Thwaites, ed., *The French Regime in Wisconsin, II, 1727-1748* (Collections of the State Historical Society of Wisconsin, XVII: Madison, 1906), xiii-xv, 7-17, 25-28, 33, 36, 37, 39, 57-59, 64, 66-71, 77-80, 109, 135-140, 143-144, 155-156, 166, 168-169, 177-178, 206-207, 230, 233, 258-259, 264, 267-274, 315, 403.

⁵ Dan Elbert Clark, "Early Forts on the Upper Mississippi," in *Proceedings of the Mississippi Valley Historical Association*, IV (1910-1911) 99-100.

Iberville spent the summer and fall of 1699 in France organizing another expedition. In January he returned and, upon being informed of the advent of the English into the Mississippi, he determined to erect a fort eight leagues below English Turn and selected a site on the east side of the river. This fort, called "Fort Boulaye", though sometimes alluded to as "Fort Mississippi", consisted of little more than a rude stockade and a small log blockhouse and was abandoned in 1707.⁶ A comprehensive article concerning the establishment of this, the first settlement on the lower Mississippi, may be found in the *Louisiana Historical Quarterly* for October 1936.⁷

Iberville sailed again for France. During his absence Governor Sauvole, whom he had left in command, died of yellow fever. Bienville, who had been at the Mississippi fort, succeeded him, but the colony passed through a terrible period of hunger, sickness and death. Upon his return in 1702, bringing fresh supplies and colonists, Iberville sent Bienville to erect a new fort on the Mobile River, leaving the Biloxi colony under the command of M. de Boisbriant. About eighteen leagues up the Mobile River, Bienville began the construction of Fort Louis de la Mobile. Early descriptions of this fort by Iberville and Penicaut state that it was of logs piece upon piece, sixty toises square, with four bastions thirty feet long, having six guns at each corner. It contained a chapel, governor's and officers' quarters, a magazine and a *corps de gard*, and in the center a parade of forty-five toises square. The barracks for the privates and Canadians were outside, one hundred and fifty paces to the left upstream. Nicolas La Salle adds that there was by the river a powder magazine twenty-four feet square by ten deep.⁸

In April 1702 Iberville left for France never again to return to his struggling colonies. A disappointed man, he believed that his efforts and those of his associates must appear to his home government a failure, at least from a material viewpoint. Four years later he died on board ship off the port of Havana from yellow fever.⁹

⁶ John Smith Kendall, *History of New Orleans* (3 vols., Chicago and New York, 1922), I, 3.

⁷ Gordon W. Callender, Prescott H. F. Follett, Albert Lieutaud and Maurice Ries, "The Mississippi Fort, Called Fort de la Boulaye, (1700-1715): The First French Settlement in Present-Day Louisiana," in *Louisiana Historical Quarterly*, XIX (1936), 829-899.

⁸ Peter J. Hamilton, *Colonial Mobile* (Boston and New York, 1898), 39; Pierre Margry, *Découvertes et Etablissements des Français dans L'Ouest et dans Le Sud L'Amérique Septentrionale, (1614-1754): Mémoires et Documents Originaux* (6 vols., Paris, 1879-1888), IV, lix, 512, 515, 580; V, 423, 424.

⁹ Dunbar Rowland, *History of Mississippi, The Heart of the South* (2 vols., Chicago-Jackson, 1925), I, 190.

Fort Toulouse, near the junction of the Coosa and Tallapoosa rivers, was erected in 1714 as an outpost toward the Carolinas. There were four bastions with two cannon in each. The fort played a more important part in the affairs of the colonists than one would expect from the size of the garrison. In later years, it was adopted by Andrew Jackson, who repaired it and used it in his war with the Indians.

Far to the west of Fort Toulouse, on the Tombecbe (Tombigbee) River was Fort Tombecbe, in an angle between the river and a brook emptying into it. It was constructed of wood and enclosed about one acre—its greatest length faced the river—with curtains about ten feet high. There were three gates and a stockade on all sides. Inside the fort were oven, storehouses, interpreters' apartment, men's barracks, guard house, granary and officers' building. It was an important and dangerous place situated to supervise the trade and politics of the Choctaws.¹⁰

In 1711 Mobile was inundated and a new site was selected eight leagues above the entrance to the river. From the plan of the town drawn by Sieur Chenillot¹¹ and the description of the city and Fort Louis as then rebuilt, we learn the following:

Fort Louis, fortified with an exterior length from one point of bastion to another of 90 toises, and with this length they have given to the faces of the bastion $23\frac{1}{2}$ toises, to flanks $12\frac{1}{2}$, to gorges 5 toises, and to the curtains 40 toises. The fort is constructed of cedar stakes 13 ft. high of which $2\frac{1}{2}$ are in the ground, and 14 inches square *de paisseur*, planted joined the one to the other. These stakes end on top in points like palisades. On the inside along the stakes runs a kind of banquette in good slope, two feet high and one and a half wide. There is in the fort only the governor's house, the magazine where are the king's effects, and a guard-house. The officers, soldiers, and residents have their abode outside the fort. . . .

Most of the houses rested on wooden stakes which had to be renewed every three or four years because they decayed in the ground. Stone was scarce, and though found only eighteen leagues away along the Mobile River was not commonly used because of lack of means of water transportation.

From the minutes of the Council, July 1, 1716, we read as follows:

There is only a poor stockade fort at Fort Louis without sheathing, without bastions, without galleries in the curtains,

¹⁰ Hamilton, *Colonial Mobile*, 165.

¹¹ *Ibid.*, 70-75.

without embrasures, without mounted cannon. There is only a poor guard-house destitute of everything where neither wood nor light is furnished although this post is exposed to the inroads of the Indians.¹²

One wonders what became of the bastions mentioned on Chenil-lot's plan.

In 1713 the brilliant reign of Louis XIV was drawing to a close. The Treaty of Utrecht patched up an honorable peace, but money, and men, had been exhausted; the king was unable to continue financing his American adventures. So he granted to Antoine Crozat a fifteen-year monopoly of the external and internal trade of the province. LaMothe Cadillac moved down from Detroit to serve as governor. The northern end of the Mississippi and the Illinois country were not included in Crozat's charter, and vacillated between Canada and Louisiana.

In reading a recent book by Madame Régine Hubert-Robert,¹³ I came across a statement regarding the building of a fort at Kaskaskias concerning which I addressed further inquiries to the author, receiving the following reply:

In 1673, Marquette, coming back from the Mississippi on the river Illinois, stopped in the Kaskaskias village, near what is now Utica. Two years later he returned, built a cabin and started the Mission de l'Immaculée Conception de Marie. After his death, the Fathers Allouez, Ralé and Jacques Grayier, Jesuits, lived there and built a church, the first in Illinois. That Indian village was a center for the fur trade.

In 1700, the Kaskaskias, at war with other tribes, transferred their village on a peninsula, between the Mississippi and the mouth of the river Kaskaskias. Fathers Gravier and Bineteau built there a new church de l'Immaculée Conception. Soon a French village spread around, a mill, and corn fields.

In 1712, on an elevation, Fort Kaskaskias was built, under the guidance of M. de Favrot, the commander. It was visited in 1719 by Philippe Renauld and his miners. It was the seat of the Illinois District, until Duguet de Boisbrillant was sent there around 1719, and at a distance of twenty kilometers built Fort Chartres, finished in 1720, with the church of Ste. Anne.

Meanwhile, two additional posts had been established further south, one at Natchez, another at Natchitoches.

¹² Dunbar Rowland and Albert Godfrey Sanders, eds., *Mississippi Provincial Archives, 1701-1729: French Dominion*, II, 220.

¹³ Régine Marie Ghislaine (Callaud-Bellisle) Hubert-Robert, *L'Histoire Marveilleuse de la Louisiane Française; Chronique des XVII et XVIIIe Siècles et de la Cession aux États-Unis* (New York, 1941).

Following the murder of some Frenchmen by the Natchez Indians, Bienville in 1716 was sent by Cadillac to demand redress. He compelled the execution of the murderers and the assistance of the Indians in erecting a fort in their own country for the safety of the French. The fort was begun on July 26, and completed in ten days, according to Penicaut's journal, under the direction of M. de Pailloux. The buildings were covered with bark. A more complete description of the fort, shortly after its erection, is given in Dumont's Memoirs, as follows:

West of this village [The Great Village residence of the great chief of the tribe] the French built a fort on a hill and called it Fort Rosalie (in honor of Madame la duchess de Pontchartrain). It was merely a plot twenty-five fathoms long by fifteen broad, inclosed with palisades without any bastions. Inside near the gate was the guardhouse, and three fathoms along the palisade ran the barracks for the soldiers. At the other, opposite the gate, a cabin had been raised for the residence of the commanding officer, and on the right of the entrance was the powder magazine.¹⁴

In February 1718 L'Epinay was recalled and Bienville was reappointed to the governorship. At about the same time he sent a lieutenant and thirty men among the Yazoos. Upon an elevation four miles from the mouth of that river they erected Fort St. Claude. This fort was destroyed in 1729, two weeks after the Natchez massacre.

Bienville favored the Mississippi and selected a site for a new capital, then shown on the map as a portage, but the opposition of Hubert resulted in a temporary compromise on Biloxi. The capital was first removed to Old Biloxi in 1719, near the site of the old fort, and certain disadvantages being found to exist, about a year later it was moved west of the entrance to the Bay of Biloxi, and Fort Louis, now the site of the City of Mobile, was erected.¹⁵ Concerning this fort, the following is an extract from a report of M. Le Blond de la Tour, January 8, 1721, submitted to the authorities:

In order that we may be as soon as possible in a position to defend ourselves in case of some rupture, I shall begin, Gentlemen, to have the precincts of the fort that I propose at New Biloxi enclosed with good posts strengthened with timbers inside, with loopholes, until we are in a position to make it in the regular manner, and if we cannot have rough

¹⁴ Rowland, *Mississippi, The Heart of the South*, I, 199.

¹⁵ Hamilton, *Colonial Mobile*, 83.

stone or brick sufficient for that I shall make it of wood in such a way that the parapets and the ramparts will be as thick as the forts of France, provided I have sufficient iron.¹⁶

In 1717 reconstruction of the fort of Mobile was begun in brick, and in 1720 the name was changed to Fort Condé. Evidently there were embankments of earth, judging from a letter written by the engineer, Devin, wherein he complains of livestock on the earth works causing landslides.¹⁷ No doubt he refers to the glacis. Dumont's *Memoirs*, in 1735 describe this fort as fortified by four bastions on Vauban's system with half moons, a good ditch, a covered way and glacis, storehouses, barracks and a pavilion for the commandant.

Meanwhile the first buildings had been erected in New Orleans. After the Natchez Massacre in 1729, consternation reigned and a palisade was hastily erected around the city—which could hardly be dignified by the name of fort, having merely a trifling moat and being flanked by small blockhouses armed with low-caliber guns. In 1758 Kerlerec restored these fortifications somewhat, with salients at intervals and a banquette within.

Since Bienville's first fort on the Mississippi had been abandoned in 1707, there was, at the time the capital was moved to New Orleans in 1722, only an inconsequential post on the southeast pass at the mouth of the river. This was known as the "Balize" from the French, meaning beacon. When first occupied in 1722 it was a little flat island called by the French, "Toulouse". De la Tour's map of 1722 indicates some sort of enclosure having bastions, as does also an anonymous map of 1731.¹⁸ Through the courtesy of Mr. Sam Wilson, we have procured a photographic reproduction of the drawings of Balize from the archives in Paris.

In 1723 Louisiana was divided into nine districts for civil and military purposes, each under a commandant and judge—frequently the same person—as follows: (1) District of the Alabamons, (2) District of Mobile, (3) District of Biloxi, (4) District of New Orleans, (5) District of Natchez, (6) District of the Yazoo, (7) District of the Illinois and Wabash, (8) District of the Arkansas, and (9) District of the Natchitoches.

¹⁶ Rowland, *Mississippi, The Heart of the South*, I, 218.

¹⁷ Rowland and Sanders, *Mississippi Provincial Archives: French Dominion*, II, 393.

¹⁸ Raymond Thomassy, *Géologie Pratique de la Louisiane* (New Orleans and Paris, 1860).

This last post was established by St. Denis in 1714 for the purpose of opening up trade for Crozat with the Spaniards of Mexico, and checking the aggressions of the Spaniards who had established a military post at Los Adayes. Having accomplished this, St. Denis married the granddaughter of the Spanish commandant at Presidio del Rio, on the Rio Grande. The following year, the fort was built on the bank of Red River, now Cane River, but in 1721 it was moved to the site now identified in the American cemetery. The fort was called St. Jean Baptiste. As commander of the fort, adventurer, friend and terror alike of the Indians, St. Denis occupies a place comparing favorably with La Salle, Iberville and Bienville.

According to an old French document, translated by Miss Germaine Portré-Bobinski,¹⁹ "The buildings were built between 1727 and 1733. The wall enclosing the fort was made of stakes nine feet high above the ground." An old plan discovered by Miss Bobinski shows the following features:

- (1) The barracks, built in 1727, all alike and under one roof.
- (2) The guard house, built like the barracks.
- (3) Store, of the same material as the church, built at the end of the year 1727.
- (4) Church, made of logs and adobe walls, surrounded with posts and covered with a bark roof.
- (5) A powder house.
- (6) An oven.
- (7) Old shacks to be used either as kitchens or quarters for servants or negroes.
- (8) The store-keeper's house of same material as barracks.
- (9) Commandant's house, made of adobe.

Because of its frontier position, Natchitoches post assumed a strategic importance which it was to hold until the close of the Civil War, a century and a half later. Let us now consider the Arkansas Post.

In 1686, after failing to find La Salle at the mouth of the Mississippi, Tonti explored the Arkansas River and left some of

¹⁹ Germaine Portré-Bobinski and Clara Mildred Smith, *Natchitoches, the Up-to-date Oldest Town in Louisiana* (New Orleans, 1936), 8.

his companions to open trade with the Indians. This was the beginning of the Arkansas Post. In 1718 an attempt was made during John Law's period to establish a colony at that post, which was supplemented the following year by additional colonists, but two years later, after John Law's failure, the settlement was abandoned. Early in the eighteenth century, Bénard de la Harpe improved the stockade and placed a regular garrison at the Arkansas Post. It was maintained as a trading center and Jesuit mission and survived an attack by the Chickasaw Indians in 1748.

In 1723 Bienville sent Etienne Veniard de Bourgmond to build a fort on the Missouri River to check the encroachments of the Spanish. This fort was located a few miles above the mouth of the Grande River. It was called Fort Orleans, but was abandoned five years later.

Meanwhile the transfer of the rights of the Western Company to the parent company, the Company of the Indies, was quietly effected. As regard relations with the Indians, however, a different story was to unfold. A private quarrel between a warrior and a sergeant at Fort Rosalie led to loss of life on both sides, and was followed by Bienville attacking Fort Rosalie and the Natchez villages, and slaying the natives without mercy while burning their towns. Added to this, a terrible equinoctial storm, in September 1723, greatly injured the crops and much damage was sustained at New Orleans, Biloxi, and Mobile. Famine began to appear imminent and many longed again for France. The garrison of Fort Toulouse deserted to the Carolinas and a company of Swiss soldiers enroute by schooner from Biloxi to New Orleans, revolted and compelled the ship's master to sail instead to Charleston. Boisbriant was appointed temporary commander at New Orleans, Bienville was recalled to France, and Boucher de la Perier was appointed governor-general in August 1726.

Shortly thereafter relations with the Natchez, already strained, were to culminate in one of the worst massacres in the history of French and Indian relations. In spite of warnings, the commandant at Fort Rosalie was caught unawares on the eve of St. Andrew, 1729, by the Indians who infiltrated into the gate, the breeches and houses and murdered most of the occupants. Nearly nine hundred men, women and children were

killed. Letters from D'Artaguet, Perier, and Father Petit give accounts of this massacre in considerable detail.²⁰

An expedition headed by M. Loubois, consisting of detachments from the military posts plus reinforcements from the Tunicas and the Choctaws, attacked the Natchez villages and killed many. The Natchez, however, locked themselves up in the fort with some two hundred prisoners and agreed to surrender only if their lives would be spared; otherwise, they would kill the prisoners. Loubois was obliged to accede to this so as to rescue the prisoners.

A later expedition, in 1732, practically completed the extermination of the Natchez. Some who escaped fled to join the Chickasaws, others attacked St. Denis at Natchitoches but were repulsed. St. Denis, in turn, aided by Indian allies, attacked the last of the Natchez strongholds and killed most of the occupants. Thus disappeared the once powerful Natchez.

In 1732 Bienville was reinstated as governor-general. Meanwhile the English had been active in forming alliances with the Indians, especially the Chickasaws; and Oglethorpe, founder of the Georgia colony, had encouraged their hostility to the French. A campaign was planned by which Pierre D'Artaguet, marching from Fort Chartres, was to join Bienville's forces proceeding from Mobile on May 10, 1736. The latter, however, did not arrive in time. D'Artaguet, proceeding according to schedule, landed at Prudhomme, marched inland and, assisted by the Indian Chief, Chicago, and his warriors, carried three forts of the enemy but was finally wounded and fell. The Indians fled, and the French leader, Vincennes, and Father Senat and several companions were captured. One of the captives was spared to tell the tale, but the others were tied to stakes and slowly burned to death.

Bienville's forces proceeded to attack the Chickasaw fort and village of Ackia. The fort consisted of large and tall palisades planted in the ground and perforated with numerous loopholes for firing upon an approaching enemy, and a strong platform of boards covered with earth extended around the inside so as to protect the defenders from the hand grenades used by the French in the assault. It was evident that the English traders had taught the Indians how to fortify themselves.

²⁰ Rowland and Sanders, *Mississippi Provincial Archives, 1729-1740: French Dominion*, I, 54-71, 77-81, 87, 117-126, 128, 176.

As this presents the unusual picture of an attack upon an Indian fort, let us read an extract of Bienville's letter to Maurepas of June 28, 1736:

On entering the village of Ackia, the head of the column and the grenadiers were exposed and were very badly handled. Chevalier de Contrecoeur was killed there and a number of soldiers were killed and wounded. However, they captured and burned the first three fortified cabins and several small ones that defended them, but when the time came to pass from those to others, Chevalier de Noyan found he had with him almost nobody except the officers of the head of the column, a few grenadiers, and about a dozen volunteers.

The death of M. de Lusser— had already frightened the troops. The soldiers crowded together behind the cabins that had been captured without the rear guard officers being able to remove them; so that the officers at the head of the column were almost all disabled. Chevalier de Noyan, Mr. de Hauterive, Sieurs Velle, Grondel and Monbrun were wounded. In vain Sieur de Juzan, adjutant to Noyan, tried to bring up the soldiers.

This officer, having been killed beside them only increased their terror. Finally, Noyan sent word that if I did not have retreat sounded the rest of the officers would suffer the fate of the first, besides there were 60 or 70 men killed and wounded.

I, myself, saw the troops, both French and Swiss, falling back; sent Mr. de Beauchamp with 80 men to have the retreat carried out and bring off the dead and wounded,— losing several more men. Sieur Favrot was wounded in it. When Mr. de Beauchamp arrived at the place of the attack, he found almost no soldiers there any longer. The officers united and abandoned were holding their ground, at the cabin nearest the fort. Mr. de Beauchamp made them retire and went to the camp in good order.

Bienville blames his defeat upon the Choctaws, who hid under cover until too late, his lack of cannon and mortars, the treachery of Red Shoe, and the cowardice of the blackguards sent to him as recruits. The defeat of the French naturally was the cause of great concern in the colony. Anxious to redeem the honor of France and the prestige of the king's armies, Bienville set to work planning his campaigns anew. He recognized the forces that were opposing him. As one author has stated: That France, in spite of an auspicious beginning was eventually defeated on the Mississippi is due largely to the Chickasaw Indians

and to a lesser extent to an English trader, James Adair, who lived among them for twelve years. The control of the bluffs was of great significance for many years and the hostility of the Chickasaws to the French and Spanish unwittingly was a contributing, if accidental factor in the United States realizing sooner its manifest destiny.²¹

In the summer of 1739, Fort Assumption was built three quarters of a league south of the Wolf River which skirted the northern extremity of the bluff. This was the present site of Memphis. In the fall of the same year, Bienville assembled a large force of 1,200 Frenchmen and twice as many Indians and Negroes. Boats, manned by soldiers, with savages and negroes were sent to the Illinois for supplies.²² At a meeting of the Council of War, February 9, 1740, an estimate was presented of munitions and provisions necessary to continue the campaign, drawn up by Bienville and revised by the engineer, Broutin, which shows in great detail the weight of materials, the number of trips and the time that would be required. This document is of great interest.²³

Several days later, because of the loss of many of their oxen and horses that were being collected and the emaciated condition of many of those remaining, the council, upon presentation of the facts by Bienville, were unanimous in decreeing that it was impossible at that time, February 15, 1740, to undertake the campaign. Sickness also played a great part in abandoning the campaign. Loubois writing to Maurepas, January 4, 1740, mentions the mortality of the marines, and that sickness at Fort Assumption was increasing and the garrison of the Illinois had not been exempt from the contagion.²⁴ By the middle of March it was said that not more than two hundred effective white men could be mustered who were able to take up the line of march with the Indians and Negroes toward the Chickasaw towns. The Chickasaws, believing this contingent to be merely the advance guard, sued for peace, which was granted. Fort Assumption was then dismantled, the army crossed the river to Fort St. Francis, the northern troops were discharged and Bien-

²¹ Gerald Mortimer Capers, Jr., *Biography of a River Town: Memphis: Its Heroic Age* (Chapel Hill, N. C., 1939), 11-19, *passim*.

²² Order, Noyan to Favrot, October 19, 1739, Favrot Papers.

²³ Rowland and Sanders, *Mississippi Provincial Archives, 1729-1740: French Dominion*, I, 423-427.

²⁴ *Ibid.*, I, 412-413.

ville came down the Mississippi with the main body of troops to New Orleans.²⁵

In 1743 Bienville's request to be relieved was granted and he left Louisiana for the last time. For more than forty years he had served his king in this colony, and when he died in 1767 he was buried with full military honors. The Marquis de Vaudreuil, who succeeded Bienville, was no more successful than his predecessor in overcoming the Chickasaws in battle or weakening their power as a nation, and he was transferred to the government of Canada, being in turn succeeded in Louisiana by Louis B. de Kerlerec.

Let us now glance at developments farther north. The original dream of La Salle for a chain of forts from Canada to the Gulf was destined to receive a new impetus under Roland Michel Barrin, Marquis de la Galissoniere, a hunchback seaman from Rochefort, Governor of Canada in 1745. The links of the chain stretched unerringly for between 1,600 and 2,000 miles through the wilderness. Detroit, Mackinac, St. Mary, St. Ignace, Green Bay, Chicago, Kaskaskia, Prairie du Chien, New Orleans, and Forts Massac, Duquesne, Natchez, Arkansas, Natchitoches, Mobile and Chartres. Galissoniere's energy and influence was responsible for strengthening or rebuilding several of these, notably Fort Chartres.

The original Fort Chartres built in 1718 by St. Pierre Dugue de Boisbriant (Canadian) consisted of a stockade of wood, with earth between the palisades, a commandant's house, a barracks, a storehouse, and a blacksmith shop, all constructed of hand-sawed lumber.²⁶ Here in 1720, Philippe Francois de Renault brought five hundred San Domingo Negroes and introduced Negro slavery into Illinois. He was succeeded by La Buissonier, Benoit de St. Clair, and Bertel. In 1751 the fort was taken over by Chevalier Macarty, a French major of engineers (Irish by descent). Two years later a new structure of stone was commenced, about a mile and a half above the old fort, and completed in 1756. Of the first Fort Chartres nothing remains; of the second only the old powder magazine (in 1915).

The fort could shelter a garrison of three hundred men and cost about \$1,000,000. There was an arched gateway fifteen feet in height, while above was a cut stone platform reached by steps

²⁵ Rowland, *Mississippi, The Heart of the South*, I, 241.

²⁶ Hammond, *Quaint and Historic Forts of North America*, 11.

with a balustrade. The walls of the fortress were eighteen feet high and in each of the four bastions were forty-eight loopholes, with eight embrasures, and a sentry box. In the interior, the two-story warehouse was ninety feet long by thirty feet wide, and there were besides a guardhouse large enough to have two rooms above for chapel and similar uses, and a governor's house, eighty-four feet long by thirty-two feet wide, boasting iron gates, stone porch, coach house, and a well, all of stone. Within were a house for the intendent, also of stone and iron, two barracks one hundred twenty-eight feet long, a magazine thirty-eight feet long and thirteen high, a bake-house with two ovens, and a well, a prison of four cells with iron doors, and a large relief gate. This extensive fort enclosed an area of four acres and was probably the most formidable held by the French king in Louisiana, for those at New Orleans were smaller, and the older Fort Condé at Mobile was only of brick.²⁷ Fort Chartres was of regular form, the sides being about four hundred ninety feet, forming a square with a bastion at each corner.

Let us now consider the Ohio River and adjacent territory. In 1702 Juchereau St. Denis established a post on the Ohio, thirty-six miles from its mouth. His settlement consisted of a palisaded fort, a trading house, several log cottages and a chapel. For a time the point was known as "Old Cherokee Fort" and was a rendezvous for the French on the Ohio River. In 1756 they threw up earthworks and erected a stockade with four bastions mounting eight cannon. Frequently the site was called "Fort Ascension", but this gave way to the name of "Fort Massac". The French did not finally leave until 1765, but the fort was never occupied by the English.²⁸

In 1754 the French commenced the erection of a fort of their own on the extreme niche of land between the Monongahela and Allegheny rivers to supersede one started in February of the same year at the expense of the Ohio Company by Captain Trent and surrendered in April to a detachment of French under Le Mercier. The new fort was called Duquesne in honor of the governor-general of Canada. I have been unable to find a good description of this fort, merely Collot's plan of Fort Pitt.

The same year a force of English under George Washington advanced against Fort Duquesne but found it too strong, and were

²⁷ Peter J. Hamilton, *The Colonization of the South (The History of North America, Vol. III, Philadelphia, 1904)*, 254.

²⁸ Hammond, *Quaint and Historic Forts of North America*.

forced to fall back to Great Meadows and erect a temporary triangular earth fortification, which he named Fort Necessity. Other forts of this region, mentioned in connection with Washington, are Forts Venango and Le Boeuf.

In 1755 the British planned to strike at three places at once, Acadia, Crown Point, and Fort Duquesne. The advance against the last place resulted in the well-known "Braddock's Defeat." The English loss was one hundred seventy-four killed, while the French loss was only three white men and twenty-seven Indians. Fort Duquesne fell to the English in 1758 when 7,000 men under General Forbes proceeded carefully against it, only to find that the French had abandoned it. The name was then changed to Fort Pitt.

Fort Chartres was the base from which the French continued contact with outlying posts such as Duquesne, Vincennes, and Fort Ascension.²⁹ In 1760 command passed to Neyon de Villiers, whose refusal to supply Pontiac with arms and powder finally led to the collapse of his bold endeavor to recover by a combined effort of the aborigines all that French valor had failed to achieve. A notarized copy of the proces verbal of a conference at Fort Chartres, April 15 to 19, 1764, between Pontiac and Villiers is in the possession of Mr. H. Richmond Favrot. In 1764 St. Ange de Belle Rive succeeded to the command pending delivery of the fort to the English.

While life at Fort Chartres reflected a certain pomp during the French regime, considerable sickness existed under the British. A letter from Fort Chartres, dated October 30, 1768, tells of chills and fever which took the lives of three officers, twenty-five men, twelve women, and fifteen children. On February 12, 1769, Butricke wrote that since his letter of October 30, they had buried fifteen more men, all the women, and thirty-seven children that had come to the fort with the five companies in perfect health. This is an interesting letter, giving an excellent picture of life at the fort.³⁰

To attempt to dwell at length upon the war between the French and the English would go beyond the scope of this paper. The French had the initial successes, and though greatly neglected

²⁹ Military Instructions, February 27, 1757, from Macarty to Sieur C. J. Favrot, to be followed while in command of a convoy to Fort Duquesne, and April 14, 1758, while heading a scouting expedition up the Tennessee River. The Favrot Papers, Vol. I.

³⁰ George Butricke to Captain Thomas Barnsley, 1768, in *Historical Magazine*, (etc.), VIII (1864), 261.

by their king, they fought on bravely; but the struggle was finally settled upon the Plains of Abraham, where Wolfe and Montcalm received the mortal wounds that ended their illustrious careers. By the Treaty of Paris in February 1763, Canada was confirmed to Great Britain, and also Louisiana east of the Mississippi and north of the Iberville River; and Florida was ceded to England by Spain in exchange for Cuba which had been captured by the British fleet. By a secret treaty, New Orleans and the Louisiana territory west of the Mississippi had been given to Spain in 1762.

When France lost and gave away a continent in 1763, there were but 75,000 Frenchmen on this side of the ocean opposed to 2,000,000 Anglo-Saxons. She was ready after sixty years of endeavor, to admit her failure in colonizing Louisiana; Pontchartrain, Crozat, and Law's Company had found that it did not pay.

Probably none regretted the change or understood it less than the Indian allies. The conspiracy of Pontiac resulted in rapid seizure of many of the forts. Sandusky fell in May 1763, followed by St. Joseph, Miami, Ouiatanon, Mackinac, Le Boeuf and Presqu'île. Forts Detroit and Duquesne held out. The endeavor, however, was doomed to final failure in 1766 when many noted chiefs met with Sir William Johnson at Oswego. Pontiac was killed by a hired Kaskaskia Indian in 1769. He had towered above all Indians in the eighteenth century as had King Philip in the seventeenth.

It was to be several years before Spain took possession of New Orleans, and D'Abbadie performed the duties of director-general until the Spaniards should come. He died during a conference with Pontiac's delegates and was succeeded by Aubry. When Ulloa arrived in 1766, he was coldly received. The proper foundation had not been laid to acquaint the colonists with his attainments or to inform them of Spain's benevolent intention, so that misunderstanding arose which led to Ulloa's expulsion, by order of the Council, who then petitioned Louis XV through Bienville to retract the cession—without success. Confusion characterized the situation following Ulloa's expulsion, but general support of the defiance of Spain apparently waned. In 1769 O'Reilly arrived, with the results so well known to every school-boy. He came prepared to stay and to enforce allegiance, if necessary.

O'Reilly abandoned a fort, called Fort Real Catolica, on an island at Balize, erected by Ulloa, and re-established a small garrison at French Balize. He enrolled and armed French colonists in the militia. Fort San Louis de Natchez was abandoned. The fortifications he maintained were, from south to north, Balize, New Orleans, Pointe Coupée, Arkansas, St. Genevieve, St. Louis, and the fort at the mouth of the Missouri.

Spain had accepted Louisiana as a means of insulating the rest of Spanish America against the English. A threefold resistance was organized: (1) Penetration of English traders and settlers into Louisiana and commercial intercourse across the Mississippi were forbidden; (2) A line of forts was built along the river; (3) A citizen militia was created. O'Reilly gave proof of his confidence in the Louisianians by sending most of his regulars back to Havana; others volunteered for enlistment in the Battalion of Louisiana. Thirteen militia companies were organized under native officers paid by the government.³¹

Unzaga carried on the good work O'Reilly had begun, but because of a milder nature he more effectively reconciled the Creoles to Spanish rule. The Revolutionary War forced Unzaga to face certain problems of neutrality. He was not convinced that the surest defense of the province was through aiding the Americans. In January 1777 Unzaga resigned and was succeeded by Bernardo de Galvez.

The appointment of this energetic young man, apparently in his early thirties, marked the beginning of one of the most interesting if brief periods in Louisiana history. Many a Creole family today bases the right of its members to belong to the Sons or Daughters of the American Revolution upon the active support, first moral and discreet, and finally of a military nature, accorded the American colonies by Bernardo de Galvez. The long story of his relations with James Willing and Oliver Pollock, American agents for obtaining supplies up the river to Pittsburgh, has been told in considerable detail by John Walton Caughey in his *Bernardo de Galvez in Louisiana*.³²

What Galvez thought of his military prospects may be judged from his letters. In March 1777 he wrote, "In regard

³¹ John Walton Caughey, *Bernardo de Galvez in Louisiana, 1776-1783* (Publications of the University of California at Los Angeles in Social Sciences, Vol. 4; University of California Press: Berkeley, 1934), 29-42, *passim*.

³² *Ibid.*, 85-134.

to rebuilding the palisades of this city and port of Bayou St. John, I must inform your excellency that this is not the proper time for cutting of timber." He considered rebuilding a useless expense because if attacked they would be very easy to take without artillery. He favored other means of defense, writing José de Galvez in June and recommending the construction of three or four "lanchones" or small light river craft with cannon of 18 or 24 caliber in the prow. He considered them superior in the river to two frigates, and he could build six at one-third the expense of the frigates. He stated that the city had no walls surrounding it nor fortress to protect it. In December, however, he again wrote that he was having to repair the batteries placed in this fort by his predecessor and to build others, though he had no budget for the purpose.³³ He was required to be constantly on the alert because of the small garrison in the city, and he established posts and watchtowers in all the places a long distance from the city, from which he might fear an invasion. He well knew that the English were receiving reinforcements, giving as an excuse that a large number of Americans were expected to arrive at their settlements. Since George Rogers Clark had already captured Kaskaskia and Willing's flotilla led by the armed boat "Rattletrap" was coming down the river, terrorizing the loyalists along the way and accumulating loot, it would appear that the fears of the English were well founded.

Galvez feared that the English who now had a thousand troops at Manchac "have no other object but to join their forces in the river to be closer to attack us at the first sign of rupture". On July 13, 1779, he convoked a *junta de guerra*, or council of war, before whom he laid the situation and asked that each submit a written opinion. Those present at this conference were: Colonel Manuel Gonzalez; Lieutenant Colonels Estevan Miro and Pedro Piernas; Captains Martin Mozun, Francisco Cruzat, Alexander Coussot, Manuel de Nava, Hilario de Estenoy, Juan Delavillebreuve, Joaquin de Blanca, Pedro Favrot, with Captain Jacinto Panis acting as secretary.³⁴ Most of the opinions submitted were pessimistic; that of Don Pedro Favrot, which is still in the possession of his descendants, was probably typi-

³³ Confidential dispatches of Bernardo de Galvez, 1777-1782.

³⁴ General Archives of Cuba.

cal.³⁵ Manchac, English Turn, Chef Menteur, and Spanish Fort were all mentioned as points for defense.

Disregarding the fears of his officers, Galvez prepared to attack. A violent hurricane delayed the expedition, but on the afternoon of August 27 the army set out. It consisted of "men of all sorts, nationalities and colors, but without a single engineer, and with the artillery officer very sick". At one time the numbers were said to have totaled 1,427 combatants, though this was much reduced by sickness.³⁶ Only when they came in sight of the fort at Manchac did Galvez announce that Spain had declared war and he was ordered to attack. His own account of the expedition states: "I took by surprise and assault the Fort of Manchac (Ft. Bute) where we found only a captain, a lieutenant, and eighteen men, because the English troops had left for Baton Rouge. They have 18 cannon, I have only ten although of larger caliber."³⁷

Galvez lingered a few days at Manchac to allow his sick to recover and then set out for Baton Rouge, whose Fort Richmond was more formidable than that at Manchac, although built in six weeks. In his letter of October 16 to José de Galvez, Bernardo describes this fort as follows:

It is constructed of tamped ground, and I saw that their ditch was eighteen feet wide and nine deep. The walls were high and craggy surrounded by spikes, mounted thirteen cannon, and were defended by 500 men, 400 of them veteran troops, the balance armed citizens and negroes. It would be impossible to take same by assault without first opening a breach which would facilitate matters, and considering at the same time that the major part of my little army was composed of citizens and any kind of misfortune would cover the colony with mourning, I decided to dig trenches and place the battery for which I had selected two places; for this I chose the one least appropriate, with the hope of deceiving the enemy in that way and drawing their fire to a distant place from the one where we had to work.

The English bombarded the wrong place all night while the Spaniards were installing their cannon unmolested. Next morning when they discovered their mistake, it was too late, the Spanish guns and gunners were well sheltered. Early that morning the Spanish batteries opened fire with good effect; not-

³⁵ WPA Transcriptions of Manuscript Collections of Louisiana (No. 1. *The Favrot Papers, 1769-1781*; New Orleans, 1941), II, 59-60.

³⁶ Caughey, *Bernardo de Galvez in Louisiana*, 153.

³⁷ Galvez to Navarro, September 18, 1779, Confidential despatches of Bernardo de Galvez.

withstanding the spirit with which the besieged served their cannon, their fort was so much damaged by the middle of the afternoon that they were compelled to submit. At half-past three two officers came out to propose a truce. Galvez insisted that Dickson surrender at discretion and that Fort Panumre at Natchez, with its garrison of eighty grenadiers, be included. Dickson assented. Twenty-four hours were allowed the English in which to bury their dead, after which they marched out of the fort, delivered up their arms, surrendered their flags, and became prisoners of war.³⁸ Captain Delavillebreuve was sent north to receive the surrender at Natchez.³⁹

Regarding subsequent events, the Historical Records Survey states as follows: "Immediately after the capture, Galvez placed Favrot in command at Baton Rouge and the former returned to New Orleans to prepare a similar expedition against Mobile."

The fort at Baton Rouge fell on September 21, 1779, and on September 26 the new commander issued a Civil Decree to the inhabitants to take the oath of fidelity to the King of Spain before him within six days. He then spent two years repairing the fort, at a detailed cost of 2,472 pesos, and upon leaving turned over to his successor, Chalmette, a complete inventory of supplies, correspondence and equipment which is of considerable interest.⁴⁰

If I have dwelt somewhat upon the Baton Rouge campaign, it should be remembered that this was the only battle of the Revolutionary War fought on the soil of present-day Louisiana. Galvez himself reported that "The zeal, activity, and constancy of our officers and veteran troops, as well as the militia is impossible to put into expression."⁴¹

Having disposed of the British posts on the lower Mississippi, Galvez turned his attention to Mobile. Let us refresh, from Dumont's *Memoirs*, our minds upon the subject of Fort Condé as it appeared in 1760. From tip to tip of the bastions is fifty toises, three hundred feet, while it will be remembered that the original palisade fort of 1711 was ninety toises, five

³⁸ A copy of the articles of surrender made at the time by Don Pedro Favrot for his own guidance is in the *Favrot Papers*, loc. cit., II, 64-66.

³⁹ Caughey, *Bernardo de Galvez in Louisiana*, 157.

⁴⁰ Some forty letters from Galvez, Miro, and Piernas to Favrot during this period are among the *Favrot Papers*, loc. cit.

⁴¹ It was a brilliant victory immortalized by Julien Poydras in "La Prise du Fort de Baton Rouge," published in 1779, a copy of which is in *Favrot Papers*, loc. cit., II, 67-70.

hundred forty feet. The brick fort of 1717 contained less than one-third the superficial area of the wooden one,—the whole new works were within the lines of the palisade Fort Louis. There was access slantwise the glacis on each side of the brick-faced covered way, on the east it being from the wharf and on the north from the palisaded enclosure; but entrance into the fort proper was only from the north. Crossing the moat one entered through the brick scarp wall. This wall was about sixteen feet from the bottom to the cordon, above which rose a thin brick parapet four and a half feet high. In the curtains of three fronts were brick casements for cannon. Passing between two buildings, one of which was the officers' quarters and one the station of the guard, the visitor came to an open square, probably with staff in the center floating the lilies of France. On the east and west of this parade were two long one-story barracks for about two hundred sixteen men. On the south side of the parade were two wells. Walking by the bristling cannon standing upon wooden platforms, one would notice at the northwestern and southeastern corners, entrances into two subterranean rooms in these bastions. The first was a brick bakehouse and the other a powder magazine.

In 1778 Captain Jacinto Panis, who had been sent by Galvez to visit the fort of Mobile, renamed Fort Charlotte by the British, prior to the outbreak of hostilities reported that the walls were going to ruin, most of the artillery dismounted and the trenches in some places choked up, and that the northeast side of the barracks was uninhabitable, having been destroyed by fire with only the walls remaining.

On January 11, 1780, Galvez embarked from New Orleans with his expedition. After various vicissitudes including a chivalrous correspondence with Captain Durnford, the British commander, firing commenced. At sundown on March 12 the English ran up a white flag and negotiations were begun for the surrender. On the 14th the Spaniards took possession, Galvez having captured three hundred men of the garrison, thirty-five cannon and eight mounted mortars. In a letter to José de Galvez he reported that, "In addition to its being a fort presenting plenty of resistance, for four months the enemy had done nothing but fortify it, giving its parapets seven feet more thickness than they had in the time of the French."

Before the ink was dry on the capitulation, Galvez turned to plans for the conquest of Pensacola, which also was surrendered to him in May 1781, following an attack by naval and land forces, lasting two months.

Galvez was succeeded in the governorship by Don Estevan Miro. Space does not permit dwelling at length upon the accomplishments of his regime, constructive though it was for Spain.

The plan initiated by O'Reilly of fortifying the Mississippi River had resulted in strengthening or erecting several new forts, as follows: St. Louis of Illinois; St. Genevieve; New Madrid; Arkansas Post; Nogales (Vicksburg); Natchez; Baton Rouge; Plaquemines (San Felipe); New Orleans; Mobile. There were also posts at Pointe Coupée, Galveztown, and the Attakapas, and Fort Miro at the site of modern Monroe.

Miro wrote Las Casas in September 1790 that engineer Peramas was constructing the batteries at the head of the Plaquemines. In another letter he urged repairs at the Arkansas Fort where the inhabitants feared attack by the Osage Indians.⁴² Miss Caroline Burson in *The Stewardship of Don Estevan Miro* has given an excellent resume gleaned from the reports of Carondelet upon the defenses of the province as reflecting their state when received from his predecessor.

Of Baton Rouge, Carondelet wrote Las Casas in February 1795 that due to the absence of any plan whatever of the forts of the province, except New Orleans and Plaquemines, he had chosen Don Juan Maria Perchet of Nogales to prepare plans of Baton Rouge, Natchez and Galveztown. From the Library of Congress I have been able to obtain a photostat of Perchet's plan of Baton Rouge. A further description of the site is given by General Collot and shown in his atlas.

As regards the fortifications of New Orleans, these have been mentioned from time to time in this article. The status of these defenses at the time of his visit in 1796 is given by General Collot, as follows:

The defense of this place consists in five small forts, and a great battery, the whole of which is distributed in the following manner:

On the side which fronts the river, and at both ends of the town, are two forts, Nos. 1 and 2, which look upon the

⁴² Miro to Las Casas, October 6, 1790, in "Despatches of the Spanish Governors of Louisiana, 1766-1792," (WPA; New Orleans, 1937-1939).

road and the river. Their figure is a very regular pentagon, having a parapet of eighteen feet thick, lined with brick, with a ditch and covered way. The ditch is eight feet in depth, and twenty broad. In each of these forts are barracks for one hundred and fifty men, and a powder magazine. The artillery is composed of twelve twelve and eighteen-pounders.

Between these two forts, and in front of the principal street of the town, is a great battery, No. 3, opened on the side towards the river, and which crosses its fire with those of the two forts.

The first of these forts, that is, the fort on the right and which is the most formidable, is called St. Charles, and the other St. Lewis.

In the rear, and to cover the town on the side next the country, are three other forts Nos. 4, 5, and 6, which are less considerable than the two first. There is one at each of the two angles of the square formed by the town, and a third between these two a little in front, so as to form an obtuse angle. These three forts have no covered way, but only stakes and palisades. They are each mounted with eight guns, but of what bore I am ignorant; there are barracks, also, for an hundred men.

That on the right is called fort Bourgoigne; that on the left St. Ferdinand, and that in the middle St. Joseph.

The five forts and the battery cross each other's fires, and are connected by a ditch forty feet broad and seven deep. With the earth of the ditch has been formed, on the inside, a causeway three feet in height, and on which were placed great picquets of twelve feet, very near each other. Behind these picquets is a small banquette. On the side of the ditch the earth has been simply thrown out, which renders the slope gentle and easy. By means of different communications formed between these ditches and the draining channel, there is always four feet of water, even in the driest seasons.

It must be admitted that these forts are well kept up; but at the same time they look rather like mock fortifications, from their diminutive size, and especially from their ridiculous distribution, than places of war; for there is not one of these forts that is sheltered, and which, five hundred determined men could not carry sword in hand. Should one of the principal forts, either that of St. Lewis or St. Charles, be taken, the others are rendered of very little importance; for by turning a part of the guns against the town, it would immediately be forced to capitulate, since it might be burned in an hour, and all its inhabitants destroyed. None of the

forts can contain above one hundred and fifty men; but when Mr. de Carondelet adopted this bad system of defenses, it is more likely that he had rather in view to keep his Catholic Majesty's subjects in due subordination than to cover the town.

A few years later, in reporting upon the public building of New Orleans, Laussat included a military memoir by his engineer, Vinache, which reads as follows:

The city of New Orleans, situated on the left bank of the Mississippi at 30 leagues from its mouth can scarcely be called fortified, five small forts in earth of little relief, surrounded by a ditch where there is little water, joined by curtains equally in earth in the form of covered way branches, whose ditch is in many places dry; forms all its defense. The redoubts which are found placed between the forts at the center of the curtains are entirely ruined. Scarcely any traces of them remain. The palisades and the ruffs of the works are also ruined in part. In a word the place is not susceptible to any defense, and is not even sheltered from a sudden attack. The faubourg, St. Mary, situated to the west of the place, runs along it entirely for a distance of more than 600 toises and renders the fortifications of this port absolutely null. Some habitations situated at north-quarter east from the place run along it equally on its left plane, and it is with reason that they can be considered as fortifications placed now almost in the center of the city. It is since the last fire that it has been permitted to build so near the fortifications which seem more to be turned against the place than to contribute to its exterior defense.

The slight advantage which can be drawn from these fortifications will determine without doubt, to raze them entirely and to carry the views of defense on the important points, such as Bayou St. John, situated at the north quarter-west from the city, from which one can come easily from Lake Pontchartrain to attack it on its rear, with the aid of a canal which comes from this lake to a half league from the city where is found an easy road to come there with heavy artillery. There is already located on this point a redoubt which has been made to defend the pass of this Bayou at its mouth. It is in earth and dressed with wood, but it requires some repairs. It is armed with eight iron cannon. This post, once taken, one comes without difficulty, as I have said above, almost to the gates of the city.

ESTIMATE IN GENERAL OF THE MASONRY EXISTING AT FORT
ST. JEAN OF THE BAYOU

A barracks of 48 feet of length by 20 of width and 7 of height, the walls of said barracks made of colombage.

A powder magazine, built of bricks, having 12 feet of length and 12 of width and 8 of height, plus two chimneys, one in the barracks and the other in the kitchen.⁴³

It will be recalled from earlier paragraphs that Galvez attached little value to the fortifications of New Orleans and Bayou St. John, but favored the construction of several light river craft armed with cannon in the prow. This idea obviously prevailed, supplemented by the erection of Fort San Felipe of Plaquemines and subsequently Fort Bourbon.

Some indications exist that a start was made at Plaquemines about 1786. The first commander of which I have found any record was St. Maxent. Carondelet, in a letter to Las Casas in August 1793, refers to a terrible hurricane that occurred earlier in that month. He says he is sending men to make repairs, remount the guns, and float two galleys that were stationed there as guardships.

In the building of masonry structures on such a soil as existed, it was extremely difficult to obtain adequate foundations. Some discussion of the merits of piling as against a lattice of timber is encountered in the correspondence of Carondelet with Las Casas. Ample testimony exists that dangerous settlement occurred at both Fort San Felipe and Fort Bourbon, giving rise to unsightly cracks. Apparently engineers had their troubles then as we have today, especially where such a floating top soil was encountered. In January 1796 Guillemand wrote Carondelet that "The usual method of using piling has been abandoned. As a consequence we have joined together square pieces of timbers, crossing them one with the other and under them boards 2 inches thick are placed."⁴⁴ He alludes to years at the Academy of Tolosa, (approved also by the one at Vanip,) that piling did more harm than good, and concludes that foundations should not be built upon pilings that were sunk in a soft, loose and marshy ground, unless rock or clay is discovered or the ground is of extreme firmness at a distance of thirty feet or less. This is interesting in view of Collot's later comments.

⁴³ Courtesy Mr. Richard Koch for the Historical American Building Survey.

⁴⁴ WPA "Dispatches of the Spanish Governors of Louisiana: El Baron de Carondelet," V, January 18, 1796.

I have in my possession some sixty original letters written by Carondelet to Don Pedro Favrot, commanding at Fort San Felipe, containing many detailed instructions in regard to repairs and construction of this fort and Fort Bourbon, which could easily be made the subject of a thesis in themselves.

Carondelet wrote Las Casas in January 1795 giving detailed estimates for some work at San Felipe and refers to plans.⁴⁵ I regret that to date my best efforts to obtain photostatic copies of these plans have been unsuccessful. But, since General Collot has obligingly described Fort San Felipe, I shall quote what he says:

The English Bend is an elbow of the river, which from this port to the sea makes several windings. This point was formerly chosen by the English to defend the entrance of the river, and two small forts had been erected; but the Spaniards have abandoned them, and have chosen a better position twenty miles lower, called the Bend of Plaquemines (Detour de Plaquemines), which is only eighteen miles distant from the first mouth of the river. Here a very considerable fort has been constructed, called Fort Plaquemines. This fort is situated on the left side of the river, at the mouth of a small creek, called Mardi Gras, on a moving marsh which extends as far as the sea, and which presenting no outlet by the land can be reached only by the river. Its form is so irregular, that it is difficult to give any clear description, especially having had but a transient view. It is a bastion closed by two long branches in the middle, which gives it, at the first glance, the air of a hornwork. The parapets which front the river are eighteen feet thick, lined with brick, and it is surrounded with a ditch twenty feet long and twelve thick.

The two great branches and the gorge are defended only by a causeway, the width of which has been taken from the ditch; this ditch is of the same breadth and depth on each side as in the front; on the causeway are placed picquets twelve feet in height. Mardis Gras Creek furnishes water to all the ditches.

Within the fort are barracks for three hundred men, a house for the commander, and a very good powder magazine. On the northern side is a small bank, that extends a thousand yards along the river, and is directed upon one of the points of the bastion, in which is a gate with a draw-bridge. This is the only outlet of the fort, without running the risk of being swallowed up in the mud.

⁴⁵ January 26, 1795, *ibid.*, V, 92-99.

Twenty-four guns of different sizes form the battery, and a captain with an hundred men, who are relieved every month, form the garrison.

Two gallies, therefore, placed under the protection of the fort of Plaquemines would be sufficient to hinder any force whatever from ascending the river; and we may add, that an enemy acquainted with the place and dispositions would never undertake the invasion.

But these advantages are not without their inconveniences. These moving or rather floating grounds admit of no foundation, on the solidity of which there is any dependence. The fort, that is the part covered with brick, though built on piles twenty feet long and two thick, and fixed within six inches of each other, has already given way more than three feet on the side of the creek, and two on the eastern side. The linings of brick, and which have been constructed scarcely three years, are as much damaged as the other parts. The banks of the river are every day falling in, notwithstanding the stakes and the hundred galley slaves employed the whole year to keep them in repair; these circumstances lead us to doubt whether the land will take any firm settlement, at least for a long time.

Carondelet as you know was suspicious of Collot, had him arrested in New Orleans, then let him go. In November 1796 he wrote to the commandant at San Felipe to ascertain if Collot had passed out by the Balize as yet.

Regarding Fort Bourbon, we know that it was totally ruined by a hurricane in August 1795.⁴⁶ Collet gave a detailed report, based upon which Carondelet recommended that the fort be rebuilt of earth and stakes, using convict labor at small cost, and at a less exposed point, (for caving,) and stating that the existing site of the fort was too distant to utilize a converging fire with Fort San Felipe. Let us, therefore, examine Carondelet's instructions to Favrot by letter of December 15, 1796:

Immediately afterwards, you will raise the parapet of Fort Bourbon on the river side some nine feet, and the interior of the fort some three and a half and 18 feet wide, so as to be able to erect a battery of three pieces of artillery, for you must leave the rest of the ground free to elevate the roof of the guardhouse before filling the rest of the parade grounds to the same height of three and a half feet.

Your circular battery once finished with its loopholes open, its interior and exterior covered with beams, you will

⁴⁶ Carondelet to Las Casas, August 30, 1795, *ibid.*

build a levee around the fort, following the line which we have marked on the ground for the parapet of the covered walk; by means of this the waters will not be able any longer to cover the grounds of the fort.

As soon as the roof of the house or guard-house is placed, you will fill the parade grounds and fill the parapet around, including that of the battery. Finally you will fill the slope.

Be sure to make them take the earth at first from the lowest and farthest surroundings, so that when the ground begins to be inundated, you will still have recourse to the banks of the river and to the highest places.

The most essential at present is to fill the parapets and slopes of Fort Saint Philip and then to construct the battery at Fort Bourbon so that it may function.⁴⁷

Amongst other things Carondelet advised, "Absolutely, do not allow any hogs in the Fort nor on the side of the fort, for they will damage everything." This reminds us of similar instructions issued to the commandant at Mobile in the early days of Fort Condé.

Other items that characterized the early forts were sickness and mosquitoes. We will recall that one hundred men under Sieur de Troyes perished from sickness at Fort Niagara in the year 1688. We will also recall how sickness affecting the garrisons of Fort Assumption and Fort Chartres in 1740 played a great part in compromising the Chickasaw campaign. At that time Loubois, writing Maurepas regarding the marines, stated that "Almost all those who have entered the hospital at New Orleans have left it only to be buried."⁴⁸ We recall Butricke's letters from Fort Chartres to the effect that most of the men, all of the women, and thirty-seven children had perished—from chills and fever. He added that he, having recovered, was assigned to adjutant's duty; with so many sick, he could only mount a corporal's guard and six men to guard a fort in the heart of enemy country.⁴⁹

The same difficulty faced the troops at Mobile, especially the English, when sickness began in June with bilious, remitting and intermittent fevers, which continued until cold weather, when the fevers abated and were succeeded by fluxes, dropsies, and cachexia. Haldimand, however, stated that temperate men had nothing to fear.

⁴⁷ Favrot Papers, loc. cit., V, 41-42.

⁴⁸ Loubois to Maurepas, January 4, 1740, in Rowland and Sanders, *Mississippi Provincial Archives, 1729-1740: French Dominion*, I, 412.

⁴⁹ Letter of George Butricke, 1768, in *Historical Magazine*, (etc.), VIII (1864), 261.

Mosquitoes were also a terrible liability as is amply testified to by Pere Gravier in his journal describing conditions at Fort la Boulaye. The commandant's daughter at San Felipe, writing to Helen Grandpré in 1801, adds further testimony in the case against mosquitoes, sickness, and monotony.⁵⁰

Since this swamp-ridden outpost of Spain's far flung empire had no school, education was imparted by the parents. Don Pedro's textbook for his sons, ("if they will apply themselves"), covers in a small pamphlet everything from arithmetic to political philosophy. It is preserved to this day.

Traveling with one's family was an arduous task. The log of Don Pedro Favrot's trip up the river to take command at Natchez in 1793 will prove this beyond question.

The last years of the Spanish regime was a period of expectancy, that the colony would again be French. The coming of Citizen Genêt and General Collot lent color to this hope. Laussat himself believed it when in March 1803 he entered the mouth of the river. In a letter to a friend, he gave his impressions of the Balize, as follows:

A post of a few soldiers, under the command of a sub-lieutenant is maintained at la Balize. There is also a small battery of cannon of four-inch caliber there, a score of pilots and some customs employees to complete this dismal, if useful establishment. We found in charge there for the moment, Monsieur Louis Bouligny, third son of the last colonel of the Louisiana regiment. He neglected nothing, neither did the family of old chief pilot Ronquillo, to make agreeable our first contact with the colony. The brig and the small battery exchanged an eight shot salute with each other.⁵¹

His memoirs for March 24, 1803, tell of his reception at Fort Plaquemines (San Felipe), as follows:

We dropped anchor opposite Fort Plaquemines; we went ashore. Monsieur Favrot, an old Frenchman, and a loyal military officer, greeted us surrounded by his family, he was full of candor and hospitality; at seeing us, a feeling of happiness spread over the feature of this good man.

We inspected and wandered over every part of the fort.

⁵⁰ Favrot Papers, loc. cit., VI, 125-128.

⁵¹ Marc de Villiers du Terrage, *Les Dernières Années de la Louisiane Française* (Paris, 1903), 398.

Plaquemines is like an island in the midst of marshlands. One is eaten alive by red bugs, mosquitoes, and gnats. The garrison has to be changed quite often. Eighteen iron cannon and a bastion constitute the entire defense of the place. The commandant and the soldiers maintain a vegetable garden where they continually struggle against flood waters, weeds, and insects. The house of the commandant is fairly comfortable. Opposite, on the other side of the river, is Fort Bourbon armed with a few iron cannon, their fire being arranged to cross that of Fort St. Philip.

We partook of an excellent dinner, one full of gaiety. We drank toasts without number to the accompaniment of salvos of artillery, singing French songs with recurring refrains, expressing in choruses the pleasures of wine and love . . . We were given a good example of life as it is lived in the colonies.⁵²

Small wonder the old Frenchman was happy. The latest of generations of French officers, he and his father had participated in every important campaign since the coming of Bienville. They had built, remodeled, commanded or inhabited practically every fort of consequence from Chartres and Duquesne in the north to Balize in the south, from Natchitoches in the west to Mobile in the east. First under the lilies of France, and finally in the service of Spain, he had seen the Indians pushed gradually backwards and had fought for or against the mightiest powers of an age when high adventure was the order of the day. He had seen an empire, built upon the courage, tenacity, and vision of Champlain, La Salle, Marquette, Frontenac, Henri de Tonti, and the indomitable will and steadfastness of Iberville, Bienville, St. Denis, the D'Artaguettes, the Le Moyne family, Cadillac, Boisbriant,—and the matchless faith of the Jesuits Charlevoix, Gravier and others,—disintegrate, the result of the cumulative neglect of a profligate court and monarchs to whom they had given the fullest measure of loyalty and devotion. In all of history, there has been no other such drama, capped as it was with such a tragic climax.

Napoleon at last sent new hope, and Laussat was his messenger. They would again all be French. It was August before either would know the truth.

Is it possible that we are witnessing in our day another such tragedy, and that the fall of France beneath the studded heels of the Germans demonstrates anew that their government has

⁵² Pierre Clement de Laussat, *Mémoires sur Ma Vie* (Paris, 1831).

failed them? To believe that the people, the rank and file, the men on the streets and the small landowners, are definitely degenerate and beyond spiritual rebirth, is to believe that Joan of Arc was a fraud, the Battle of the Marne never occurred, and the Old Guard did not die at Waterloo,—or that Louisiana's heroes failed to penetrate her forests at all. Those of us with French blood will not subscribe to it.

It is unfortunate that men cannot die, like Abraham Lincoln, at the height of their fame. If there has been in history anything more pathetic than the hero of Verdun in his dotage, seeking to lead his stricken countrymen, it was Bienville, at eighty-seven, seeking an audience to retain Louisiana, with a monarch who did not care, or the blasted hopes of our Louisiana Creoles when their ties with France were severed forever.

It is not without significance that at this day, and in spite of her many many tragic failures and weaknesses it should be my lot, as it was Don Pedro's to Laussat on the banks of Bayou Mardi Gras so many years ago, to offer you that almost forgotten toast, "Vive la France".

In conclusion I wish to express appreciation to Mr. Parsons for his invitation to speak, to Mr. Robert Usher for the use of the Howard-Tilton Library, and to Messrs. Stanley Arthur, Richard Koch, Albert Lieutaud, Carleton King, and H. Richmond Favrot for other valuable criticisms or suggestions; and to Mr. William Wiegand and the *New Orleans Item* for the notice given this meeting.

✓ LOUISIANA ANTICIPATES SPAIN'S RECOGNITION OF THE INDEPENDENCE OF THE UNITED STATES

By J. HORACE NUNEMAKER

No American schoolboy advances very far without having fixed indelibly in his memory the date on which the Thirteen Colonies signed the document that was the declaration of their independence. It seems not too much to expect that Americans should likewise be well aware of the dates on which the two great European powers that materially helped establish that independence as a fact, recognized it as such.

For France, the problem is comparatively simple. Franklin, Deane, and Lee, the American representatives in Paris, were officially informed on December 17, 1777, that France had decided to recognize the independence of the Colonies.¹ Bemis gives the actual date of recognition as February 6, 1778.² The representatives were not presented to the King (Louis XVI), however, until March 20, 1778,³ and on April 8th Deane was substituted by John Adams with additional instructions.⁴

¹ Juan F. Yela Utrilla, *España ante la independencia de los Estados Unidos* (2 vols., Lérida, 1925), I, 257: "... el 17 de diciembre [1777] visitó Gerard de orden del Rey Luis XVI a los Comisionados del Congreso americano, afirmándoles que el Gobierno francés había decidido reconocer la independencia de las Colonias. . . ." Manuel Conrotte, *La intervención de España en la independencia de los Estados Unidos de la América del Norte* (Madrid, 1920), 51, states that the meeting took place a day later than the date given by Yela Utrilla: "El 18 de Diciembre [1777] Gérard, el *premier commis* del Ministerio de Negocios Extranjeros, se presentó en Passy [where Franklin was residing] con un mensaje del Rey; en él se manifestaba la decisión de sostener la causa de los rebeldes hasta conseguir su independencia, sin otra condición que la de que por ningún motivo renunciaran a la realización de este ideal para volver a la dominación británica." It should be borne in mind in using these two works that they have an almost identical purpose and title, that that of Yela Utrilla supersedes that of Conrotte in practically all respects. Yela Utrilla is more complete, more detailed, and more thorough, and frequently criticizes and corrects Conrotte. On this point, see also S. F. Bemis, *The Diplomacy of the American Revolution* (New York, 1935), 266, n. 1, and S. F. Bemis and G. G. Griffin, *Guide to the Diplomatic History of the United States* (Washington, 1935), 18: "it [Yela Utrilla] is the most important single book on Spanish-American relations during the revolution."

² S. F. Bemis, *A Diplomatic History of the United States* (New York, 1936), 28-29. This is the date of the signing of the treaty of alliance between France and the United States. It is interesting to note the statement of J. B. Moore in this connection, in *A Digest of International Law* (Washington, 1906), 73: "The recognition of the United States of America by France in 1778 was in reality an act of intervention. . . ."

³ Yela Utrilla, I, 330f: "Fueron presentados los Diputados americanos como tales a S. M. Cristianísima el día 20 de marzo [1778], pero omitiéndose la fórmula acostumbrada para los Ministros que iban a residir con credencial, porque no la tenían los Diputados, ni la podrían dar los EE. UU. hasta ser reconocidos como independientes." Here again Yela Utrilla differs with Conrotte who this time (p. 54) gives the date as one day earlier: "... el 19 de Marzo [1778], Franklin, Deane y Lee habían sido presentados en la audiencia del Rey como particulares por no tener corrientes sus credenciales. . . ."

⁴ Yela Utrilla, I, 332: "Entretanto y para sustituir a Deane en París, el Congreso nombraba a J. Adams, el cual llegó en 8 de abril de 1778 a la capital de Francia. . . . Era portador Adams de varias disposiciones del Congreso. . . y se ordenaba al propio tiempo que todo convenio, hecho por los comisarios coloniales con los ingleses, en que no se reconociese la independencia, sería rechazado."

The attitude of Spain toward the independence of the United States is infinitely complicated. Because of the Family Pact and military alliance between France and Spain of 1762, France hoped to have Spain join her in a war against England for the express purpose of establishing the Thirteen Colonies as an independent nation. Spain was piqued at not being fully consulted, in accordance with the Pact, in the deliberations that culminated in France's decision and action, and so demurred.⁵

The question necessarily arose immediately in the official Spanish mind as to whether any advantage could accrue to Spain from recognition of American independence and a consequent, inevitable war with England. "Spain was unwilling to lose possession of its American colonies through an unsuccessful war and properly hesitated [to declare war on Great Britain], by going to war on the pretext of securing the independence of the United States, to furnish its own possessions in America a precedent for revolt against their mother-country."⁶ "Spain had too many colonial hostages of her own on the other side of the Atlantic to allow her to champion American independence. Throughout the war Spanish policy was consistently opposed to that."⁷ Bemis elaborates this point and states it still more strongly:⁸ "But even Grimaldi,⁹ an Italian by origin and francophil in all his conceptions of foreign policy, had hesitated about recognizing the independence of the United States. For an absolute monarchy with American colonies of her own thus to set a premium on insurrection was a dangerous precedent from which both he and his greater successor Floridablanca shrunk with utmost abhorrence. For this reason the Spanish Council of State in 1776 had strongly

⁵ S. F. Bemis, *Pinckney's Treaty, a study of America's advantage from Europe's distress, 1783-1800* (Baltimore, 1926), 13: "When the decision was made to recognize the United States, Vergennes thought, or certainly desired, that Spain would follow the French lead, but he did not wait for official Spanish approval for this new step [after the capitulation of Saratoga in October, 1777]." S. F. Bemis, *A Diplomatic History of the United States*, 32: "When he [Floridablanca] heard that Vergennes had committed himself with the United States without waiting to see what Spain's answer would be, he made that a good pretext for holding aloof." On Spain's resentment of France's non-fulfillment of the terms of the Family Pact, cf. Yela Utrilla, I, *passim*.

⁶ J. B. Scott, introduction to G. Chinard, ed., *The Treaties of 1778* (Baltimore, 1928), vii. Cf. also Carlo Botta, *Storia della guerra americana* (7 vols., Firenze, 1822), VI, 91: "Perciocchè non le andava troppo a sangue [alla Spagna] l'indipendenza americana, pensando se si fosse lasciato prendere piede a quell'esempio non le desse cagione di temere per le sue colonie."

⁷ Bemis, *The Diplomacy of the American Revolution*, 41.

⁸ In *Pinckney's Treaty*, 16.

⁹ *Ibid.*: "Don José de Mofino y Redondo, Count of Floridablanca, succeeded Grimaldi as Foreign Minister of Spain on February 19, 1777. He remained in that position for the next fifteen years. . . born in Murcia in 1728."

advised against such recognition."¹⁰ Bemis says also that Floridablanca was determined not to recognize the independence of revolted colonies in America even if English colonies, for fear of the fatal example that spectacle might have for Spain's own colonies. Nor was he willing blindly to follow in the wake of French diplomatic piloting."¹¹ Thus even the eternal and consuming hatred that Spain had for England because of the "robo de Gibraltar" and for other reasons, was insufficient to persuade her to take advantage of England's distress for her own advantage, by establishing the dangerous and damaging precedent of officially countenancing insurrectionists. Her problem and France's with respect to America were utterly different.¹² Basic in all her considerations and deliberations was the fear for Louisiana.¹³

The Americans were openly eager for Spain's recognition and in Paris, Franklin, Deane, and Lee seem to have been successful in persuading at least one official Spaniard, the Conde de Aranda,¹⁴ Spain's ambassador to France, to their point of view.¹⁵ "From almost the first the Congress of the United States had been desirous of securing recognition from Spain of American independence, together with a treaty of friendship, commerce and alliance, and had empowered its commissioners to the French Court to open negotiations to that end."¹⁶ General Washington expressed his "fervent desire" for Spain's recognition: "Grandes muestras de consideración dió el general Washington a nuestro

¹⁰ Cf. also Francis Wharton, *Diplomatic Correspondence of the American Revolution* (6 vols., Washington, 1889), I, 427, quoted in F. E. Chadwick, *The Relations of the United States and Spain: Diplomacy* (New York, 1909), 15: "As the war progressed, 'and the issue was independence, Spain was no longer inclined to help on a movement which would be a dangerous precedent to her own colonies, and which, if successful, would build up on her borders a sovereignty in its principles very hostile to her traditions, and occupied by a people whose energy and aggressiveness would be made more formidable by a successful war.'"

¹¹ *A Diplomatic History of the United States*, 32.

¹² Yela Utrilla, I, 36: "... las posesiones de Francia en América eran despreciables en comparación con las de España y una razón elemental de conservación podía hacer temer a España el funesto ejemplo que se daba a sus posesiones con la sublevación colonial, mientras que Francia estaba libre de este temor."

¹³ *Id.*, I, 48: "No hallaba remedio alguno Grimaldi respecto de la Luisiana, pero a medida que se pudiese en mejor estado, resultaría cebo más atrayente para la codicia de los colonos ingleses."

¹⁴ Conrotte, 15: "El interés de España y el sentido de su protesta contra las influencias absorbentes de Francia estaba representado por su Embajador en la Corte de Versalles, por D. Pedro Abarca de Bolea Conde de Aranda y poseedor de muchos más títulos nobiliarios como vástago de una de las casas de más rancia aristocracia en el Reino de Aragón. (Note: Fué nombrado Embajador en relevo del Conde de Fuentes por Real orden de 23 de Junio de 1773. . .)."

¹⁵ Bemis, *Pinckney's Treaty*, 18: "He [Floridablanca] did not accept Aranda's eager advice to recognize the independence of the United States." Also H. B. Bates, "Two Bourbon Ministers and Arthur Lee," *Hispanic American Historical Review*, XIII (1933), 490. Cf. in contrast, Yela Utrilla, I, 146: "Nuestro Ministro de Marina [el Marqués González de Castejón] afirmaba [February 1-3, 1777] que debíamos ser nosotros los últimos 'en reconocer potencia alguna en América, independiente y soberana; y esto a más no poder.'"

¹⁶ Bemis, *Pinckney's Treaty*, 15.

emisario [Miralles]¹⁷ en la visita que éste le hizo, manifestando el general de las Colonias un gran amor al Rey Católico, y fervientes deseos de que éste reconociese a los EE. UU. como independientes."¹⁸ The American representatives were more optimistic for Spain's recognition than the circumstances warranted. "On September 8 [1777], Franklin, Deane, and Lee, writing to the committee of Foreign Affairs, declared that while Spain had not yet consented to receive a minister from the United States, 'she has, however, afforded the aids we formerly mentioned, and supplies of various articles have continued till lately to be sent. . . .' Though Spain had not formally acknowledged, she stood with France in insisting upon American independence."¹⁹ In spite of Franklin's knowledge that Spain had not yet authorized the sending of an official representative to Madrid, his enthusiasm impelled him to attempt to send one anyhow. It was decided to send Lee. The attempt was unsuccessful, besides being unpopular in Spain, and Lee succeeded in getting only as far as Burgos, where he was met and turned back as politely as possible under the circumstances by no less a person than the Marqués de Grimaldi, who went to Burgos expressly for

¹⁷ Conrotte, 115f: ". . . en nota reservada, de su [Floridablanca's] puño y letra, sin fecha, pero correspondiendo sin duda a fines del año 1777, y la cual debió servir de antecedente a órdenes dadas por la Secretaría de Indias, se dice que por el Gobernador de Luisiana, por el de la Habana o por otro de la entera satisfacción del Gobierno se busquen una o más personas sagaces que puedan internarse en las Colonias americanas insurgentes y estudiar y avisar todas las ocurrencias de importancia, y especialmente del estado de la guerra y de sus progresos y de las intenciones posibles de ajuste de los colonos con los realistas.

"Correspondía al carácter de Floridablanca el modo de apreciar la comisión que se confería; dentro de la aparente neutralidad de España no era posible nombrar un agente diplomático, cuya designación hubiera equivalido al reconocimiento de los Estados Unidos como nación independiente, lo cual se rechazó hasta pactarse con Francia la alianza para combatir a la Gran Bretaña; . . . revistiendo con ello al enviado más con el aspecto de espía que con el de agente oficioso. . . .

"El Capitán General de la isla de Cuba, D. Diego Navarro García de Valladares, cumplió la orden reservada de la Secretaría de Indias, y designó por comisionado a D. Juan Miralles y Troyllón, natural de Petrel, en el Reino de Valencia, hacendado y vecino de la Habana. . . .

"Embarcó en 31 de Diciembre de 1777, y a su llegada a Filadelfia. . . ha dejado huella profunda en la historia de la independencia. . . desembarcado en los Estados Unidos en Enero de 1778, seis meses después aún no había recibido instrucción alguna ni de Madrid ni de la Habana."

Id., 125f: ". . . Morristown, en Nueva Jersey, donde . . . enfermó el enviado español [Miralles] de pulmonía, falleciendo en 28 de Abril de 1780. . . el entierro fué presidido por Washington en persona.

"Hízose cargo de los papeles del finado su secretario don Francisco Rendon. . . fué nombrado Secretario de legación y quedó en Filadelfia. . . ."

¹⁸ Dispatch from Miralles to José de Gálvez (Minister of the Indies), Philadelphia, December 28, 1778, in Yela Utrilla, I, 390; cited also by Conrotte, 121. Washington repeated this desire. See dispatch of Rendon, Spanish observer who entertained Washington in his home, to José de Gálvez, Philadelphia, July 30, 1782, in Yela Utrilla, I, 396. On Rendon, see note 17, above, and Bemis, *The Diplomacy of the American Revolution*, 89: "Francisco Rendon [from April 28, 1780 on]. . . was in Philadelphia during the Revolution [as] a Spanish representative who though he personally desired appointment as minister and was personally treated with all the deference shown to a minister, was obliged to refrain from any official function or any implication of recognition of the independence of the United States."

¹⁹ Charles H. McCarthy, "The Attitude of Spain during the American Revolution," *The Catholic Historical Review*, II (1916), 55.

that purpose.²⁰ This attempt to send Lee to Madrid in an official capacity was made in the face of Aranda's advice to Franklin to the contrary. He had told Franklin in conference "... no siendo aún [los Estados Unidos] una potencia constituida, pues su independencia *adhuc* [i. e. January 4, 1777] *sub iudice* estaba. . . ."²¹ This American enthusiasm likewise disregarded even Floridablanca's opposition to the plan. "El vigor con que los Estados Unidos luchaban por su independencia y la influencia que los resultados de la contienda habían de ejercer sobre España, ya se ha visto que dieron lugar al intento de enviar a Madrid una representación del Congreso rebelde, para la cual estaban investidos Franklin y Lee, y que aun declarada la guerra a Inglaterra Floridablanca juzgó molesta su presencia, y sin motivar apenas su actitud se opuso repetidamente a su viaje. Mas su opinión no era la misma en cuanto a la oportunidad de enviar un representante de España a los Estados Unidos."²²

An effort on the part of France to bring about Spain's recognition of American independence by means of a secret Franco-Spanish treaty availed nothing, although the treaty was signed. Chadwick relates the circumstances of this matter as follows:

The treaty of alliance, signed February 6, 1778 [see note 2, above], between France and the United States had included a secret article enabling the King of Spain to become a party to the alliance, but Spain did not move until April 29, 1779,²³ when she made a secret convention with France to become a party to the war with Great Britain, a provision of which was that the war should continue until Gibraltar should be taken²⁴ Article 4 of the secret

²⁰ Conrotte, 42: "A la actividad de Franklin y de sus compañeros no se acomodaban las dilaciones que a su deseo de pactar la alianza imponían las cautelas en que forzosamente había de envolverse la negociación, y sin contar con autorización expresa de Aranda dispuso [Franklin] que Arturo Lee marchase a Madrid con el cargo de enviado officioso del Congreso. . . . Al encuentro de Lee salió a Burgos el Marqués de Grimaldi en persona. . . el primer ministro de Carlos III. . . ." On p. 124, Conrotte says: "Con demasiado optimismo apreciaban estos congresistas las miras y la actitud de España, desconociendo su aversión a aliarse con los Estados Unidos y aun a aceptar su independencia. . . . La misión de Jay, Plenipotenciario investido de las facultades inherentes a su cargo, produjo necesariamente la disminución de la influencia y de la importancia de la de Miralles, falto de representación y de poderes para negociación alguna." J. B. Moore, *The Principles of American Diplomacy* (New York, 1913), 17: "In 1777 Arthur Lee was stopped by the Spanish government when on his way to Madrid."

²¹ Yela Utrilla, I, 119. For a complete treatment of Lee's mission, see also pp. 160-180, 249, and P. H. Giddens, "Arthur Lee, First United States Envoy to Spain," *Virginia Magazine of History and Biography*, XL (1932), 3-13. Cf. also note 15, above. Strangely, in Giddens' article, the idea that Lee was unwelcome in Spain is almost totally absent.

²² Conrotte, 114f.

²³ The date of this treaty is usually given as April 12th. See below and J. B. Scott *apud* Chinard, *loc. cit.*: "Eventually Spain bound herself by the Treaty of Aranjuez, of April 12, 1779, to join the war against Great Britain, and it entered as the ally of France in July of that year."

²⁴ It is worthy of note that this effort to tie the independence of the United States to the Rock of Gibraltar was unsuccessful. On this, see S. F. Bemis, *The Hussey-Cumberland Mission and American Independence* (Princeton, 1931), *passim*.

convention, notwithstanding Spain's real dislike to such an outcome, engaged the Spanish King "not to lay down his arms until" the independence of the United States "is recognized by the King of Great Britain, it being indispensable that this point shall be the essential basis of all the negotiations for peace which may be instituted hereafter."

The proposal and request of the King of France in the same article, that on the day the King of Spain should declare war against England he should recognize the "sovereign independence" of the United States ended with the proposition Said Florida Blanca, the Spanish minister of state, to the French ambassador Montmorin, "The King, my master, will never acknowledge their independence until the English themselves shall be forced to recognize it by the peace" From this attitude Spain did not move.²⁵

In this secret treaty (Aranjuez, April 12, 1779), Spain declined to accept France's stipulated condition in Article 4 that Spain's declaration of war on England should imply a guarantee of the independence of the United States by Spain.²⁶ It appeared particularly obnoxious to Spain " . . . que viesen los americanos que se debía a Francia el que España los hubiese reconocido como independientes" ²⁷ France showed unwillingness to accept Spain's exception, and insisted. This impasse, which nevertheless was allowed to pass, is thus described by Conrotte: "Las posiciones que respecto de las Colonias americanas adoptan los contratantes en el tratado son distintas; Francia declara paladinamente que los convenios con ellas celebradas la obligan a reconocer su independencia, y solicita de España igual declaración, con el ofrecimiento de no deponer las armas que se prepara a esgrimir contra Inglaterra hasta que por ésta no se realice el reconocimiento, haciendo de este punto base esencial de las negociaciones de paz. Recordando las proposiciones de mediación formuladas por España, cuyo fundamento principal era que en tanto se conseguía un arreglo definitivo tratase Inglaterra a las Colonias como libres . . . consecuencia racional hubiera sido la adhesión de España a las declaraciones de Francia."²⁸ Similarly Bemis: "Floridablanca believed . . . that without recognizing American independence, Spain could best secure her own interests

²⁵ *The Relations of the United States and Spain; Diplomacy*, 16. The quoted portion is from Bancroft, *United States* (1890), V, 307.

²⁶ Yela Utrilla, I, 360-361.

²⁷ *Id.*, I, 362.

²⁸ P. 76f.

by meditation between Great Britain and her revolted colonies, on the basis of establishing their independence *de facto* but not *de jure*. . . ."²⁹

Spain was meantime seeking some other means of extracting herself from the dilemma. The rôle of mediator in the war seemed the only solution that offered any hope whatever of bearing fruit. Her proposal to Great Britain to mediate in the conflict had coupled with it necessarily the unfortunate character of an ultimatum. She pursued this course nonetheless. She was well aware that this procedure implied a tacit agreement on her part to the factual independence of the United States, at least during the negotiations. She proposed that ". . . during this time [of the mediation] the Colonies are to be treated as independent in fact.

"In proposing that the American 'Colonies' be recognized as independent *de facto*, during the time of the negotiations, Spain was by no means inconsistently encouraging the recognition of the independence of the United States.

["The Spanish mediation ultimatum] Carefully couched to avoid any recognition of American independence even by implication, with the stipulation of the duration of *de facto* independence most ambiguously written, it circumvented Spanish aversion to actual independence and offered to Great Britain the possibility of peace by compromise. . . ."³⁰

McCarthy places the beginning of the mediation proposals in 1778:

To save the feelings of England and, no doubt, to gain some of his own ends without war the King of Spain suggested late in 1778, a truce, which from time to time could be renewed. This would give the colonies, which were to be parties to the negotiations, ultimate independence, while the mode of procedure, it was believed, would be less humiliating to England than would be an immediate acknowledgment of independence. . . . Finally Great Britain was to treat them [the Colonies] as independent *in fact*. This proposition of

²⁹ *Pinkney's Treaty*, 18f. Bemis goes on to point out (p. 20): "In this convention [April 12, 1779] Spain carefully refrained from any recognition of the independence of the United States."

³⁰ Bemis, *The Diplomacy of the American Revolution*, 82, 83. Cf. Conrotte, 67, citing Floridablanca to Don Pedro de Góngora y Luján, Marqués de Almodóvar, Spanish ambassador to London, Madrid, April 3, 1779: ". . . en el ultimatum que se dirigió a la Gran Bretaña se propuso la suspensión indefinida de las hostilidades, que podrían reanudarse con aviso de un año de antelación, y la reunión de una conferencia en Madrid con asistencia de comisionados de las Colonias, que serían tratados como representantes de un Estado independiente de hecho. . . ." Also Yela Utrilla, I, 360: "Conviene hacer constar de una manera especialísima, que la oposición de Inglaterra a las pretensiones de España en la mediación se fundó siempre en que nuestro Gobierno deseaba que fuese establecida, como base de todo trato, la independencia colonial. . . ."

Spain was rejected as was her offer of mediation. Thereupon she withdrew her offer and recalled her minister.³¹

The inevitable and only too well foreseen climax to all this negotiation and temporizing had come. On May 28, 1779, Florida-blanca wrote to Aranda from Aranjuez: "... había llegado el momento de romper con la Gran Bretaña. . . ."³² The actual declaration of war was the next step. Spain was to go to war with England and thus fight for the independence of the United States, in spite of herself, in spite of not yet having recognized that independence, and much else. "Es cierto que entramos en la guerra anglo-franco-americana sin un pacto o convención previa con los americanos y sin haber reconocido siquiera su independencia. . . ."³³ Everyone knew, however, that Spain had been consistently giving the colonists abundant assistance in funds and provisions, if only to embarrass and harass England in this somewhat indirect manner.³⁴

It would seem that the date of the declaration of war against England would be a simple matter to determine. However, I have gathered the following, all in 1779: May 3rd, 8th, 18th; June 21st, 22nd, 23rd; and July 8th, and doubtless various others could be unearthed.³⁵ The Royal Order of May 18, 1779, entitled "Declaration of War against His Britannic Majesty," signed by the Minister of the Indies, Don Joseph de Gálvez, and addressed to the Governor of Louisiana (Don Bernardo de Gálvez), reads as follows:³⁶

Real Orden, Aranjuez, 18 de Mayo de 1779. Declaracion de la Guerra contra S. M. Britanica.

Despues de haver empleado el Rey todos los medios prudentes y eficaces que le dictan siempre al amor â la Paz y el bien de la humanidad para terminar la guerra entre la Fran-

³¹ *Loc. cit.*, 53.

³² Yela Utrilla, I, 364.

³³ *Id.*, I, 371.

³⁴ An eloquent apology for Spanish aid to the American Revolution and subsequent independence is given in "Spanish Aid to American Independence," *Spain*, VI, no. 7 (1941), 5 et seq.

³⁵ Chadwick, 16, gives May 3rd; Alcée Fortier, *A History of Louisiana* (4 vols., New York, 1904), II, 62, May 8th; J. W. Caughey, *Bernardo de Gálvez in Louisiana, 1776-1783* (Berkeley, 1934), 149: "On May 18 the Spanish court sent notifications to her colonial officials that war was to be declared against England, though the declaration was not formally made until June 21"; Bemis, *Pinckney's Treaty*, 25, June; Moore, *A Digest of International Law*, 169, June; McCarthy, *loc. cit.*, 60, June; Bemis, *The Diplomacy of the American Revolution*, 87, and *A Diplomatic History of the United States*, 33, June 21st; Conrotte, 74: "Carlos III dió a conocer a sus vasallos la declaración de guerra a Inglaterra en una Real cédula de 22 de Junio"; C. E. Chapman, *A History of Spain* (New York, 1922), 397, June 23rd; and R. R. Hill, *Descriptive Catalogue of the Documents relating to the History of the United States in the Papeles procedentes de Cuba*, etc. (Washington, 1916), 119, July 8th. It is of interest to note that Bemis, *Pinckney's Treaty*, 28, adds: "Although the fact had been rumored ever since the beginning of August it was formally announced to Congress. . . on September 7, 1779, that Spain had declared war on Great Britain."

³⁶ Archivo de Indias, *Papeles de Cuba*, Legajo 569, no. 124.

cia y la Ynglaterra, ha visto que esta potencia dilata de mala feè y aun rehusa en terminos improprios aceptar las justas proposiciones que S. M. le ha hecho en calidad de poderoso mediador; y como los fines de la Corte de Londres de dirigen â ganar tiempo, y â procurar indemnizarse de la perdida de sus colonias sobre los dominios Españoles de Yndias, segun los insultos y preparativos que se han experimentado en ellos, ha determinado el Rey declarar la Guerra al de la Gran Bretaña, y que al recivo de esta orden se publique por vandos solemnes en toda la America, respecto de que estará verificada ya la ruptura en Europa, para que llegando â noticia de todos sus vasallos en esos Dominios se pongan en defensa contra los enemigos, y procuren ofenderlos armando sus naves en corso con la seguridad de que S. M. les concede enteramente todas las presas que hicieren sobre los subditos de Ynglaterra, y que ademas premiarà despues â los que se distinguan contra ellos en esta Guerra. Y supuesto que durante ella se deben auxiliar efecta y mutuamente las dos Naciones Española y Francèsa como amigas y aliadas, lo prevengo todo a V. S. de Real orden para su inteligencia y puntual cumplimiento en el distrito de su mando. Dios gu[ard]e â V. S. muchos años, Aranjuez, â 18 de Mayo de 1779.

J[ose]ph de Galvez

D.

Señor Governado de la Luisiana.³⁷

When this news of the declaration of war on England reached Louisiana, ³⁸ it appears that Don Bernado de Gálvez, the Governor,³⁹ jumped at conclusions. On August 20, 1779, Gálvez assembled the citizens of New Orleans to inform them of the news. "He dwelt on the unfortunate circumstances under which he had to inform them that England had declared war on Spain 'in consequence of the recognition of the independence of America.'"⁴⁰ Botta says that this announcement by Gálvez of Spain's recognition of the independence of the United States was with an ac-

³⁷ In the upper left corner of the second page of this Royal Order, in what appears to be Don Bernardo de Gálvez's hand, with his *rúbrica* but not his signature, appears: "Pase a la real contaduría para su inteligencia."

³⁸ Caughey, 149: "Not until July 17 did the news reach Havana, and, although [Don Diego José] Navarro [Governor and Captain General of Cuba] immediately forwarded the order. . . it did not come to Gálvez's hands during July."

³⁹ See my article, "Francisco Boulligny's Absence from Louisiana, 1775-77," *Research Studies of the State College of Washington*, X (1942), 200, n. 10.

⁴⁰ Caughey, 152. Cf. Manuel Serrano y Sanz, *Documentos históricos de la Florida y la Luisiana, siglos XVI al XVIII* (Madrid, 1912), 345: ". . . pues haviendo la España declarado la independencia de los Americanos, hera de temer que los ingleses empezaran las hostilidades. . . ."

companiment of a roll of drums.⁴¹ By September 23rd, Oliver Pollock had also made so bold as to announce it to the inhabitants of Natchez.⁴² All this was done in spite of the fact that official Spain had consistently declined to recognize American independence and had so declared itself only too plainly.⁴³ The statement of Bemis, relative to John Jay's mission to Spain, subsequent to Gálvez's announcement, is particularly apt and pertinent:⁴⁴ "Jay arrived in Spain January 27, 1780, bringing with him William Carmichael. . . . Jay remained in Spain as the unrecognized diplomatic agent of the United States, until May, 1782. . . . Throughout his sojourn, Floridablanca was studiously careful not to take any step which would be a recognition of American independence. . . . Floridablanca was determined not to recognize American independence . . . he studiously refrained from entering into any contract which would imply a recognition of independence." He points out the more striking fact that "The peace settlement of 1783 thus closed without a Spanish recognition of the independence of the United States. . . ."⁴⁵

It is little wonder that Oliver Pollock, and doubtless others, spread the happy news, when we observe that Gálvez stated the recognition as a fact in his official correspondence. In a letter from New Orleans, August 21, 1779, he informed Don Carlos de Grand Pré⁴⁶ of the recognition and said that he had been so

⁴¹ Botta, *op. cit.*, VI, 97: "Già fin dal principiar d'agosto [1779] Don Bernardo Galvez, governatore spagnuolo della Luigiana, si era recato ad una fazione contro le possessioni inglesi del Mississippi, la quale ebbe prospero fine. Ricevute queste novelle, e quelle ancora, che lo stesso Don Galvez aveva nel medesimo tempo pubblicamente a suon di tamburo riconosciuta la indipendenza degli Stati Uniti nella Città della Novella-Orleans se prima esitavano, ora fatti più arditi negarono di voler fare le concessioni." (i. e. Newfoundland fishing rights, the two Floridas, and the navigation of the Mississippi.)

⁴² Hill, 185, describing Legajo 192: "letter of Oliver Pollock (September 22, 1779) to the inhabitants of Natchez announcing that Spain had recognized the United States." Cf. Caughey, 158, quoting this letter, for which he gives the date of September 23rd: "I have the happiness to inform you that his most Catholick Majesty the King of Spain has declared the independency of the United States of America, as also War against our tyrannical enemy Great Britain. . . ."

⁴³ Documents in support of this point are legion, and particularly damaging to the validity of Gálvez's premature announcement when it is borne in mind that for more than four years after his announcement, representatives of the United States, notably John Jay and William Carmichael, persistently hounded Floridablanca, dogged his steps, and patiently and impatiently pursued him to every royal residence, in pursuit of Spain's recognition and a treaty. See, in particular, Yela Utrilla, I, 420 n, 423, 478, 480; II, 365 (Floridablanca's dispatch to Aranda); Conrotte, 122, 127f, 131, 134, 154, 157, 159, 162, 182-185, 196, 211; S. G. Coe, "The Mission of William Carmichael to Spain," *Johns Hopkins University Studies in History and Political Science*, XLVI, no. 1 (Baltimore, 1928), 16, 52; and Moore, *A Digest of International Law*, 168f. Jay himself writes in a letter from Madrid, October 26, 1781, to Lewis Littlepage, in *Letters, being the whole of the correspondence between The Honorable John Jay, Esq. and Mr. Lewis Littlepage, etc.*, a new and correct edition, etc. (New York, 1786), 20: "You was a citizen of North-America, whose independence had not yet been acknowledged by this court [i. e. June 24, 1781]."

⁴⁴ *Pinckney's Treaty*, 31-32.

⁴⁵ *Id.*, 42.

⁴⁶ Commandant, at the time, at Pointe Coupée; later, after the campaign against the English, he was left in command by Gálvez at the newly-captured Baton Rouge. He was later (1781) appointed commandant at Natchez. See Fortier, II, 65, 95f., and H. L. Favrot, "The West Florida Revolution and Incidents growing out of it," *Publications of the Louisiana Historical Society*, I, pt. III (1896), 19.

informed by Don Diego José Navarro, Governor and Captain General of Cuba.⁴⁷ The letter to Grand Pré follows:

Diciendome el Capitan general de la Havana que la España ha reconocido la independencia de los Americanos, y que quiere que se pongan à cuvierto los Establecimientos de este Rio por si los Ingleses de resultas de esta novedad cometen algunas hostilidades, lo que me pone en el caso de tomar las mas oportunas disposiciones para dar cumplimiento à esta Resolucion; se hace indispensable que luego [sic] que reciba Vm. esta orden envíe à esta Capital el Bató de Mr. Tounoar,⁴⁸ los que pueda haber à demas de este, y todas las Berges, y Piraguas grandes de 30 à 40 pies, encargando Vm. muy particularmente à los conductores, que procuren pasár de noche por los Puestos Ingleses.⁴⁹

Igualmente escribo al Comandante de Atacapas⁵⁰ previniendole que junte todos los barcos que haya en aquel distrito, y que los remita à Vm., los cuales procurará enviarme con la mayor prontitud, con los mismos que los conduzcan de Atacapas, baxo los mismos terminos prescritos para los otros.

Sin embargo de que prevengo à Declouet que junte una porcion de reses para contar con estes socorro, si Vm. las necesita, enviará, à buscarlas à Atacapas, para cuyo efecto doy à aquel Comandante la orden correspondiente.

El 18 de éte mes experimentamos aqui un Uracan tan terrible,⁵¹ que ademas de haber causado los mayores desastres en las casas de la Villa y en las habitaciones, ha destruido asimismo todas las cosechas. Pero habiendo juntada ayer

⁴⁷ Archivo de Indias, *Papeles de Cuba*, Legajo 1. I have been unable to find any letter from Navarro to Gálvez to support Gálvez's statement. Since Navarro received the news of the declaration of war against England on July 17th, any such letter would be subsequent to that date. No such statement is to be found, for instance, in Navarro's letters to Gálvez of July 18th or July 28th, in spite of the fact that it seems reasonable to suppose that a matter of such moment would at least have been mentioned by Navarro to a governor in so strategic a position as that of Gálvez in Louisiana. I can only conclude that Gálvez read the recognition into the declaration of war.

⁴⁸ This is evidently Juan Bautista Tounoir who was at Pointe Coupée (Punta Cortada). See *Transcriptions of Manuscript Collections of Louisiana*, no. 1, The Favrot Papers, 1769-1781 (7 vols., New Orleans, 1940-42), II, 149.

⁴⁹ These British posts on the Mississippi were all taken by Gálvez later in 1779, as follows: Manchac, September 7th; Baton Rouge, September 21st; and Natchez, October 5th. See Fortier, II, 64, 106, and n. 19 of my forthcoming article, "The Bouligny Affair in Louisiana." Caughey, 159, describes Grand Pré's compliance with this order: "With forces drawn from Pointe Coupée, Carlos Grand Pré had already seized the British posts on Thompson's Creek and the Amite. As a reward for this service, and in recognition of his good work in cutting communications between Baton Rouge and Natchez, Gálvez placed him in command of the district. . . ."

⁵⁰ Alejandro DeClouet; see H. E. Bolton, *Athanase de Mézières and the Louisiana-Texas Frontier 1768-1780* (2 vols., Cleveland, 1914), II, 109, 354. On Atacapas (and Opelousas), Perrin du Lac, *Voyage dans les deux Louisianes, et chez les Nations sauvages du Missouri, par les États-Unis, l'Ohio et les Provinces qui le bordent, en 1801, 1802 et 1803*, etc. (Lyon, 1805), 379f: "C'est par un de ces canaux [bayous] que l'on se rend aux Atacapas, et de là aux Apelusas. Ces deux établissements, qui sont réputés les plus considérables de tous ceux de la Louisiane dans l'intérieur des terres, s'étendent à l'Ouest presque jusqu'au Nachitoché, avec lequel ils communiquent. . . il n'y a pas de doute que cette partie de la colonie ne devint bientôt de la plus grande importance."

⁵¹ Cf. Fortier, II, 63, and Caughey, 152.

la mayor parte de los habitantes para hacerlos saber como S. M. se ha dignado concederme el Gobierno de ésta Provincia en propiedad, fue para ellos ésta noticia tan plausible, que despreciando la consideracion de sus respectivas perdidas, cada qual me ofreció por su parte todos los auxilios que dependiesen de ellos hasta el ultimo punto, llenos de recogijo. En éste supuesto hará Vm. saber à todos los individuos de su distrito la dicha gracia que he debido à S. M., y que quedo persuadido à que por su parte concurrirán à quanto yo pueda necesitar, no por que no hayan experimentado los desastres causador por el Uraçan, como los de ésta Villa, si no porque les hago la justicia de creer que en el afecto y en sus buenos deseos no cederán à nadie, asegurando de mi parte que mas que un Gobernador que los mande, tendrán en mi un Protector y un Padre en todas sus necesidades.⁵²

Si el Bató de Mr. Barré,⁵³ que salio de aqui para Ili-noeses,⁵⁴ ò no hubiese pasado, al recibo de ésta, por ahí, ò habiendo pasado considerase Vm. que no puede hallarse muy lexos, procurará detenerlo, hacerle que dexe ahí la carga y enviarlo inmediatamente à ésta Capital, como queda dicho de los demas barcos.⁵⁵

Dios guarde à Vm. muchos años, Nueva Orleans, 21 de Agosto de 1779.

Bernardo de Galvez

Señor Don Carlos de Gran Pré

It seems strange indeed that Gálvez should thus have overstepped his authority, although his governorship of Louisiana cannot be said to be free from administrative irregularities.⁵⁶ Spanish colonial officials as a rule were scrupulously meticulous in their administration, as their voluminous reports and corre-

⁵² Apparently this was no idle boast; cf. Caughey, 250-258.

⁵³ Francisco Barré, a trader of Pointe Coupée; see Bolton, I, 75, 176.

⁵⁴ The settlements included in the Illinois country are listed by Fortier, II, 305.

⁵⁵ The following note is appended to the letter:

"Nota. En atencion à la escasez de viveres que hay, hará Vm. à todos los habitantes de su distrito sembrar una cierta cantidad de batátas, esto es, pommes de terre, y me dará aviso despues de quanta ha sido efectivamente la que se ha sembrado.

"Aunque he determinado que los correos que salgan de aquí para Manchak [see S. B. Elder, "Bienville's Difficulties in the Founding of New Orleans," *Publications of the Louisiana Historical Society*, VIII (1914-1915), 45-46], à otros parages solo lleven un real por legua, tanto à la ida, como à la vuelta, no se comprenden aquellos que se remitan desde Manchak à ese Puesto, ni los que Vm. despache hasta el mismo Manchak, pues estos serán pagados mejor segun Vm. considere que lo merecen, respecto à los otros que no tienen mucho que andar de un Puesto à otro, y por consiguiente menos incomodidad.

"Inmediatamente que reciba Vm. ésta, recogerà todos los viveres que pueda, depositandolos si fuere dable en ese Fuerte, ò en sus inmediaciones; y como es de temer que los Ingleses de resultados de haber España reconocido la independencia, cometan contra nuestros establecimientos algunas hostilidades, es preciso vivir con el mayor cuidado; y si acaso llegare éste caso y Vm. considerase que puede hacer una defensa regular sin exponerse la ejecutará, confiado yo en su espíritu, prudencia y talento; pero si Vm. se viere atacado con fuerzas superiores, deberá hacer una capitulacion con todo el honor que corresponde à las armas de nuestro Soberano, y poniendo à cubierto à esos habitantes de toda extorsion, retirandose, si le fuere dable, al parage que juzgue mas à proposito, bien sea hacia ésta Capital, ò hacia los Atacapás. Por fin repito à Vm. que todo lo dexo à su prudencia y conducta, esperando que sabrá comportarse con todo el honor que es debido.

Galvez"

⁵⁶ Cf. my article, "The Bouligny Affair in Louisiana."

spondence bear abundant witness. Governor Gálvez must not have been long in learning of his official error in prematurely announcing Spain's recognition of the independence of the United States and that to his embarrassment, notwithstanding his significant and signal military victories over the English immediately subsequent to his announcement.⁵⁷

That Spain did eventually recognize the independence of the United States is, of course, obvious. The recognition did not come about, however, in any official declaration or Royal Order, but rather by the devious, obscure, and halting paths of diplomacy. After interminable delays of official procrastination, John Jay wearied of Spain and apparently Spain wearied of John Jay too. "Jay accepted Franklin's advice [to leave Spain], and in June, 1782, he left Madrid for Paris, leaving Mr. Carmichael as chargé d'affaires."⁵⁸

Since the peace settlement of the American Revolution did not carry with it Spain's recognition, it remained for Carmichael to struggle on in Madrid to obtain recognition by being officially received to the Spanish Court as American *chargé d'affaires*.⁵⁹ Recognition was not to be had merely for the asking, even in 1783. The situation by now had become somewhat absurd, and Aranda, seemingly almost trying to humor Floridablanca into recognition, wrote him from Paris on January 1, 1783:⁶⁰ "... quiera Dios que no salgan [los Estados Unidos] con quedarse hacia nosotros ni amigos ni enemigos, sino a lo que diese el tiempo; los reconoceremos porque sería peor el no hacerlo y el tratar de buena correspondencia se remitirá a conversaciones interminables." Shortly after the above, "Don Bernardo del Campo, Oficial de la Secretaría de Estado . . . Encargado de negocios en Londres [told Aranda] que Floridablanca se inclinaba a dejar esta cuestion en el aire, sin contraer compromisos y reconociendo la independencia de los Estados Unidos por el hecho de admitirlos en su tráfico y acreditar ante el Congreso una especie de Ministro resi-

⁵⁷ Caughey, 252, points out that he was in Spain from September, 1783, until October, 1784, and was called upon to give advice to the Court as to its new American problems. "The questions of recognition of the United States, of the Florida boundry, of the use of the Mississippi, of American immigration into Spanish territory, of relations with the South-eastern Indians—these were some of the problems arising."

⁵⁸ Chadwick, 25.

⁵⁹ Moore, *A Digest of International Law*, 206 (quoting Hall, *International Law*, 4th ed., 93): "It is direct recognition to receive its ambassadors, ministers, agents, or commissioners, officially. The official reception of diplomatic agents accredited by the new state, the dispatch of a minister to it, or even the grant of an exequatur to its consul, affords recognition by necessary implication."

⁶⁰ Conrotte, 182-183.

dente." "It was not until February 22, 1783 that the Spanish government was able to bring itself to declare its acceptance of the situation."⁶¹ This "acceptance of the situation" was an invitation from Floridablanca for Carmichael to dine with him and the diplomatic corps on that date. "The other purpose of LaFayette [in his visit to Spain in 1783] was to secure Spanish acknowledgment of the independence of the United States. This he was unable to do in set terms, but he did secure a promise that Mr. Carmichael would be formally received at the Spanish Court as *Chargé d'Affaires* of the United States. The formalities of this reception began with an invitation to Carmichael to dine with the 'Corps diplomatique at the Count de Florida Blanca's table.' This he did in company with LaFayette, February 22, 1783."⁶²

On March 17, 1783, Aranda and Floridablanca wrote letters to each other which clearly show the Spanish attitude subsequent to Carmichael's dinner engagement. Aranda writes:⁶³ "... si el Congreso da la Comisión a Mr. Carmichael residente en Madrid, sabéis que está bien visto, y que a lo menos puede intentar ser recibido por Ministro o Encargado de una Potencia independiente, lo qual viene a ser el más formal reconocimiento de la misma independencia. . . ." Floridablanca writes:⁶⁴ "El tratado [con los Estados Unidos] puede encaminarse a cuatro objetos: uno el de reconocer la independencia, y eso no lo necesitan ellos, ni del parte del Rey hay reparo en admitir un Ministro del Congreso y enviar otro, ya venga Jay o ya permanezca Carmichael, a quien se trata como si lo fuera; con esto se hace el mayor reconocimiento que es posible de un Estado soberano."

This kept up until finally "... the Count [Floridablanca] notified Carmichael that the presentation [to the King] had been set for August 23 [1783]."⁶⁵ This date may be considered then, as that of Spain's recognition of the independence of the United

⁶¹ Chadwick, 27. Cf. Coe, 6: "... he [Carmichael] was formally received as *Chargé d'Affaires* by the Spanish Court in February, 1783, at the instance of Lafayette, then in Spain." However, he was only acting *chargé d'affaires* then, as Coe himself points out, 79: "The notice of his appointment as *Chargé d'Affaires* was sent him by Jay in October, 1789, and he was formally commissioned April 20, 1790." Besides, he had yet to be received by the King.

⁶² Coe, 52. He goes on to say: "Formal presentation to the king and other members of the royal family was long delayed."

⁶³ Yela Utrilla, I, 480.

⁶⁴ Conrotte, 185.

⁶⁵ Coe, 53. On p. 48, he says: "... the public reception of Carmichael as *Chargé d'Affaires* of the United States which took place August 23, 1783." Carmichael wrote Livingston from San Ildefonso, August 30, 1783, telling of his presentation to the King. See Wharton, VI, 663-667.

States. Bemis says:⁶⁶ "The Spanish Ministry, still under Florida-blanca, did not, like Great Britain, refuse to negotiate. Following the peace settlement it recognized the independence of the United States by formally receiving as *chargé d'affaires* William Carmichael."

If someone would insist that recognition was still not complete until a Spanish official was duly received in the United States, it may be pointed out that more than a year elapsed after Carmichael's reception before Don Diego Gardoqui was accorded that honor. "It was evident, since England had recognized their independence, that Spain must take some action. The action resolved on was to send a successor to M. Miralles, now some years in his grave, and in order to secure him a favorable reception, the public reception of Carmichael as *Chargé d'Affaires* was resolved on and carried through. . . . Don Diego Gardoqui was sent."⁶⁷ "The letter of credence of the first official diplomatic representative of Spain to the United States, Diego de Gardoqui, *Chargé d'Affaires* was dated September 25, 1784. . . . Gardoqui transmitted his credentials to the Continental Congress on May 21, 1785."⁶⁸

Yela Utrilla, toward the end of his work, cannot seem to refrain from chiding Spanish eighteenth-century officialdom for the whole matter. He writes:⁶⁹

Cabe preguntar a que se enderezaban en último término estas, al parecer, meticulosidades de la Corte española en sus tratos con las Colonias, pues parece absurdo sentir empachos de diplomacia en reconocer directa o indirectamente la independencia de los EE. UU., cuando de *hecho pugnábamos* por establecerla con nuestra participación en la empenada contienda anglo-franco-americana.

⁶⁶ *A Diplomatic History of the United States*, 78. However, in *Pinckney's Treaty*, 189, he says: "In 1784 he [Carmichael] was recognized by Charles III as *chargé d'affaires* of the United States." And Conrotte, 211, goes beyond that: ". . . época anterior y muy inmediata al 27 de Octubre de 1795 en que se firmó el tratado por el cual reconoció España la independencia de los Estados Unidos." Conrotte here means *Pinckney's Treaty*.

⁶⁷ Coe, 56. He continues, 57: "The year intervening between the reception of Carmichael at the Spanish Court and the dispatch of Gardoqui to America was a lean one, if volume of correspondence indicates anything."

⁶⁸ Personal letter to the writer, dated January 9, 1943, from the Department of State in Washington (E. Wilder Spaulding). My inquiry on this subject to the Spanish Embassy in Washington brought the following in reply, dated February 2, 1943 (Eduardo M. Danis): "Actualmente puedo comunicarle que el reconocimiento de la independencia de los Estados Unidos por parte de España y Francia consta en unos Tratados firmados con fecha 2 de enero de 1783 y el acuerdo definitivo se firmó en París el 3 de septiembre del referido año."

⁶⁹ I, 423.

SARAH BERNHARDT IN NEW ORLEANS

By JOHN SMITH KENDALL

It is many years since the name of Sarah Bernhardt last adorned the billboards in front of an American Theater. In the interim most of the generation which admired her has passed away. In New Orleans, even the buildings where she acted have disappeared. It is difficult now to realize that, forty or fifty years ago, Sarah Bernhardt was a world figure, far more glamorous than the stars of the screen whose matrimonial vagaries excite so much interest at the present time. At the height of her career, whenever Sarah Bernhardt left her native France for one of those absurdly-frequent "farewell" tours which carried her to the remotest corners of the world, that was an event rivalling in news value the movements of crowned heads. In the United States for at least a quarter of a century, people thronged the playhouses to see her, even when—as too often happened!—they did not understand. New Orleans, with its long tradition of Gallic culture, and its knowledge of the French tongue, cherished a profound affection for the great actress. And now, who is so old as to do her reverence?

New Orleans heard a great deal about Sarah Bernhardt, long before it had an opportunity to judge for itself whether her reputation was deserved or not. It was not until 1880 that the "divine" Sarah, in the course of her first comprehensive American tour, included the city in her itinerary. From triumphant engagements in New York, Philadelphia and Baltimore, she was coming to act in the place which, probably above all others in the New World, would be best able to appreciate her art! Anticipating her advent, one of the New Orleans newspapers—the *Times-Democrat*—said:

There are few names, in fact, about which so much noise has been made. We wait for the appearance of this artist on our stage with real interest and infinite curiosity. As regards the woman, her type has become legendary. Superiorly gifted by nature, eccentric, superlatively witty, high spirited, she possesses (to complete her phenomenal personality) the genius of elegance.

It must be confessed—looking back on the event from the vantage point of more than sixty years—that a good deal of the excitement awakened in New Orleans by the announcement of Sarah Bernhardt's impending engagement, was due to skilled press-agenting. That is, press-agenting as understood in those days, when the art was in its infancy. The paid advertising was not very lavish. It was limited to small advertisements, one column wide and running down the page some fifty or sixty lines in the *Times-Democrat* and the *Picayune*; but there was one whole-page advertisement in an afternoon daily, and that was a really tremendous piece of publicity for that epoch. On the other hand, the free press-notices were extraordinarily generous. It was they which did the business. Not a day passed without something about the actress appearing in the news columns. The public read, and marvelled, and its curiosity was stepped up by degrees to fever heat.

The man responsible for Sarah Bernhardt's advance notices was Marcus Meyer. Ordinarily, the relations between a press agent and the newspapers is exceedingly cordial. Not so in this instance. Meyer was intensely unpopular with the New Orleans journals—so much so, that one of them vented its dislike in the following vitriolic paragraph:

Accident has made him a theatrical agent instead of an old-clothes dealer. Meyer would find much more congenial employment in a junk shop than in his present position, or in any place where he would be forced to associate with ladies and gentlemen . . . These remarks are, of course, friendly and confidential.

Why this was so we do not know. My own guess is that New Orleans' criticism of Meyer was inspired by the fact that, arriving in the city in advance of his star, he made a deal with the ticket brokers, whereby for the first time in local theatrical history the public had to buy the better grade of seats elsewhere than at the box office. At the "R. E. Lee" hat store on the corner of Canal and Bourbon streets, Edgard Bouligny put up a sign announcing that, "if you wish the best seats," these must be purchased there. And the public did purchase them in surprisingly large numbers. The choicest boxes sold for \$270 for the entire engagement of nine performances, but other boxes were available at prices ranging from \$160 to \$216. Single seats for the nine performances cost \$30, \$24, and \$18, according to location.

Judged by the standard of the present time, these were not exorbitant prices, but in 1880 they were all but prohibitive. Perhaps that was because Meyer and his accomplices figured in substantial profits for themselves personally. At least, so the *Times-Democrat* intimated. The *Picayune* and the *Daily States* were also annoyed at the situation, but were more moderate in their expressions of disapproval. Nevertheless, when the curtain at last went up at the Grand Opera House, on "Frou Frou," there was not a single vacant place in that capacious theater.

And who was this woman, to whose appearance in a city already rich in the theater, where French opera and French drama had been established institutions for almost a century, even the illiterate classes looked forward with so much eagerness?

Sarah Bernhardt was born in Paris in 1847. Her mother was a Dutch Jewess who came to Paris in search of adventure and a fortune, but did not find the latter. Sarah's father had her baptized and educated in a convent. She made her appearance on the stage in 1862 in the title-role in "Iphigenie," but the public showed little enthusiasm, and it was not until several years later, in "Atallie," that she won its full approval. After that, her history was one long, unbroken series of successes. At first, however, her talent was less talked about than the peculiarities of her personal appearance. Sarah was not exceptionally tall, but so slender that she seemed so. She was what the French called a "fausse maigre." In that period women were expected to have a "waist," and Sarah did not have one. People could not help but feel suspicious of a feminine failure to conform to the popular "hour glass" shape. True, Sarah had a well-rounded arm, and in certain of her roles displayed a neat leg. Her neck was graceful, and her movements revealed a nervous strength far greater than might be expected from her apparently fragile physique. Moreover, her eyes were large, and sparkled with intelligence. Her mouth was characteristic. It was highly expressive, but even the paint which Sarah applied with a liberality not usual in those timorous days, failed to conceal its hardness and coldness. In short, here was a new type in the theater, and people found some difficulty in adjusting their ideas to it.

Sarah acquired the title of "divine" on the night when, in Paris, she first acted the Queen in Victor Hugo's famous play of "Ruy Blas." She used to say that that night was when she did

her greatest acting, and it is likely that she was right. She was twenty-seven years old. At the theater on that occasion was a famous French artist who made a sketch of Sarah and Hugo together, and this was published a few days later, under the caption of "The Goddess and the Genius." And ever afterwards the actress was hailed as the "divine" Sarah. People got to thinking that the epithet was bestowed on her because her acting was "divine," but, as the reader perceives, it was, after all, based upon the rather derisive title of Georges Clairin's clever drawing.

The circumstances under which Clairin made his sketch were these: After the play, Hugo, full of enthusiasm and gratitude for the manner in which his heroine had been presented, rushed behind the scenes and clasped the actress in his arms. Clairin, who happened to be present, made his drawing then and there, and this was printed, it was suspected more through Sarah's own contrivance than either of Hugo or the artist.

Probably Sarah was not as great an actress as her generation believed. Certainly she did not, as an artist, deserve to be called "divine." But she was an accomplished Thespian, skilled in all the tricks of the theater, and she had a voice which has never been excelled for beauty. Victor Hugo called it "a voice of gold." Nothing more exquisite can be imagined than its throbbing music in the noble verse of Rostand; or more heart-rending in Marguerite Gautier's dying agonies in Dumas' drama, "*La Dame aux Camélias*;" or more thrilling as Jacqueline, in Bisson's "*Madam X*." But she used that voice in a manner of her own—singing—or, rather, chanting—her lines instead of reciting them. If you cared for that sort of thing, the effect was magical. If you did not care for it,—well, you just did not care for it. Sarah had a vast repertory. Mme. Pierre Berton says, in her scandalous book, "*The Real Sarah Bernhardt*," that to the end of her life, Sarah remembered the lines of all of the parts which she had taken—some fifty or sixty, all told. And she chanted them all alike.

The train which brought the celebrated French actress to New Orleans from Mobile, Alabama, where she played the previous night, was two hours late. When at last the special car containing the divinity and her company rolled into the railroad station at the foot of Canal street, the crowd, which had assembled there at the scheduled hour in hopes of seeing her, had dwindled away to a few newspapermen. From the train Sarah, accompanied

by her sister and the principal members of the organization, went to the St. Charles Hotel, where rooms had been reserved for them. The lesser personages had to content themselves with lodgings over Jean Vatin's and Antoine's restaurants.

The next day the distinguished visitor made her first public appearance. This was not at the theater, but at Grunewald's Music Store, before a specially invited group, mainly of women. Among the men present, however, was General P. G. T. Beauregard. Sarah wore a close fitting dress, sea-green in color, with a hat to match. Her black satin slippers aroused a good deal of interest; that style of footgear was not then much known in America. Her arms were enveloped in long, much wrinkled gloves—which shrewd feminine critics said she wore to conceal the thinness of those limbs; which was unkind, because, as we have said, Sarah's arms were slender, not thin. The women formed a solid phalanx around the famous guest, into which none of the males present were allowed to enter, except General Beauregard. The General made pretty speeches in French. The ladies' offering was an armful of roses. The affair was, from the social viewpoint, a great success.

In New Orleans Sarah played the leading feminine roles in "Phèdre," "Hernani," "La Dame aux Camélias," "Le Passant," "Adrienne Lecouvreur," and "Le Sphinx." There was plenty of applause at each performance, but the newspapers were captious, and mingled praise and blame when they discussed her whom Francisque Sarcey had called "A Bohemian doubled with a child." Said one New Orleans critic: "The voice of a siren, the wit of a demon, the grace of a goddess, the elegance of a Parisian, with a lack of heart and sentiment—such is the Gilberte of Mlle. Bernhardt." Said another: "We do not think that Miss Bernhardt interpreted the role of 'Phèdre,' which requires the portrayal of exquisitely tender sentiment, with adequate expression." Later, however, when Sarah appeared in "La Dame aux Camélias," the first-quoted writer recanted handsomely: "Upon your knees, sacriligious critics," he exclaimed, "who dared to intimate in his own paper that the divine Sarah lacked heart and sentiment. . . Take it back and humbly apologize." And the following night the same critic, speaking of the death scene in "Le Sphinx," where the unfaithful wife poisons herself rather than be discovered by her husband, said:

Her eye betrayed the poison's action; her breathing grew stentorious; her muscles, losing nerve support, were their

own masters. About the mouth there was that peculiar rigidity that is always a prevision of the cessation of life's functions. Even the nose appeared pinched in the agony of the body's pain. The flowing hair was pushed back from the forehead, displaying the cold, clammy brow. The voice became almost sepulchral. Mlle. Bernhardt's art was no longer art—it was nature!

However, New Orleans society did not take Sarah Bernhardt up, as had been done in the other American cities which she visited on this trip. There was an uneasy feeling that she was not quite reputable. And perhaps she was not. Mme. Berton, in the volume above mentioned, gives a list of Sarah's lovers. They included Gustave Doré, Georges Clairin, Jean Richepin, and various other distinguished Frenchmen, artists and writers, of that magnificent epoch. Edmond Rostand, who wrote plays for her some years later, is supposed to have been one of her later intimates, and after him there were others.

But Mme. Berton was animated by a bitter jealousy, and she may have exaggerated. Her husband, Pierre Berton, who was a fine actor, was suspected of being too friendly with Sarah, when she was at the Odéon theater, in Paris; and although that was long years before he married the author of the book, Thérèse never forgave Sarah for her dereliction, although she forgot Pierre's share in it, with whom she lived very happily.

Pierre was succeeded in Sarah's favor (if we may believe the "chronique scandaleuse" of that day) by Francisque Sarcey, when she needed the latter's influence to get into the Comédie Française. No one ever denied Mme. Berton's assertions, so there may have been some truth in them, after all. Anyhow, New Orleans had its doubts about its guest's past and present, and let her depart without tasting the hospitality on which it prided itself.

This was the first of many visits which the great French actress paid to New Orleans. She came several times in the '80's. These were followed by her first appearance at the Tulane Theater, in the spring of 1901, when she produced "L'Aiglon," with Coquelin Sr. as her leading man. In 1907 she played an engagement at the Greenwald Theater (later known as the Palace), and then, in 1911, was again at the Tulane in repertoire, with Lou Tellegen acting opposite her. In 1915 she gave productions of "Hecuba," "From the Theater to the Field of Battle," and an-

other short dramatic sketch at the Dauphine Theater. Her last appearance in New Orleans was in vaudeville at the old Orpheum Theater, on St. Charles Street. On that occasion she appeared in the last act of "Camille." This final visit was made in the course of the last of her "farewell" tours of the United States.

It was during this last engagement in New Orleans that Bernhardt participated in the wartime parade arranged by Henry E. Groffman, chairman of the publicity committee of the Liberty Loan campaign in the Sixth District of the city. The first World War was then in progress, and patriotic citizens were resorting to every expedient to promote the sale of government securities. Sarah was eager to contribute what she could to the good work. She rode in the parade in an open carriage drawn by six white horses. The vehicle was covered with roses, and the horses' headstalls were adorned with ostrich plumes. With her rode her physician, Dr. Maret, and her niece. Groffman walked beside the carriage. Everywhere along the line of march the great actress was recognized and enthusiastically greeted.

At the moment when the parade was to start, the weather looked far from propitious. Dr. Maret advised Sarah not to venture forth. At her age a drenching might well have proven serious. But Bernhardt's patriotism was not so easily vanquished. "My soldiers in France," she exclaimed, "are standing knee-deep in blood and grime. I shall ride in the parade, if no one else does!"

Groffman's responsibility was to see that Sarah was back at the theater in time for a matinee performance. He had to withdraw her carriage before the entire route of the parade had been traversed. Sarah addressed to him some words of appreciation and thanks. She spoke in French. Groffman was ignorant of that language. He knew only two French words, and used them by way of answer. They were "Maison Blanche," the name of a department store in New Orleans. Sarah understood, and laughed gaily. "Ah," she said, "but you are clever, is it not?"

That night the publicity committee sent her six dozen American Beauty roses. They were tied with yards and yards of tricolored ribbon. To them was affixed a card inscribed with expressions of admiration and gratitude. It was Sarah's practice to distribute all such offerings among her colleagues, but this time she departed from that pleasant custom, and took the

bouquet to her hotel. It meant something to her which other, even costlier tokens—of which she was everywhere the recipient—did not mean.

When she came to New Orleans on that last tour in 1917, Sarah Bernhardt was seventy-three years old and had lost a leg. She had to make use of a play specially written for her which did not require her to rise from her seat. This was a pathetic story of the war, about a youth whose leg had been shot away, and who was dying alone on the battlefield. The "voix d'or" was still beautiful and in the long monologue of the wounded youth—which was all there was to the playlet—it wrought music as magical as ever. Sarah had to be rolled from her dressing room to the stage in a wheeled chair. There were few evidences of age in her face, and she was still gracious and charming.

By that time she had learned English quite well, although her use of it never ceased to be a bit labored. Her son, Maurice—who, according to Mme. Berton, was the offspring of a Prince who was Sarah's lover and treated her brutally—was married then, and had children, and these children had children; so that when Sarah made her last appearance in New Orleans she was a great-grandmother. By the way, this Maurice was born before his mother's marriage to Georges Damala, the Greek actor, whom Sarah loved madly, whom she married in 1882, with whom she lived in terrible unhappiness, and who died in 1889.

Among the characteristic incidents in Sarah's New Orleans visits were her hunting expeditions. She liked to go to shoot alligators in the swamps near the city. On these expeditions she was accompanied by Captain Louis Rapho, a famous New Orleans huntsman of those days. They usually went to Chef Menteur and Lake Catherine, and branched out thence in a "pirogue," into the haunts of the saurians. It may be interesting to mention that Rapho's family resided at 205 Bourbon Street, where Bernhardt was more than once a visitor. Bernhardt went hunting with Rapho for the first time in 1896, during her engagement at the Grand Opera House. That was the time when she killed a large alligator, which she had stuffed, and took away with her as a souvenir of an interesting experience. She caught a small alligator alive, which she also carried with her in a cage when she left the city. Rapho often spoke of Sarah's hardihood,

her excellent marksmanship, and her huge enjoyment of this initial expedition.

On these outings the actress wore man's clothing. Her courage and endurance were remarkable. Once or twice she took along members of her company. They withstood the hardships of these trips far less successfully than she did. If they grew weary and fell asleep during the long trip by boat, Bernhardt would gleefully scoop up water and pour it on their heads, to wake them up. When they left the boat for the land she trudged over the prairie for hours without exhibiting traces of fatigue. She usually started on these expeditions immediately after finishing a performance at the theater, no matter how late at night that might be.*

The friendship between the celebrated actress and the New Orleans guide and hunter lasted till the latter's death.

I remember the "divine" Sarah only from her latter years, but, at that, I had the satisfaction of watching her interpret all of the rôles in which she was considered greatest. I liked her best as Roxane, in Rostand's "Cyrano de Bergerac." Coquelin was the Cyrano. They were magnificent especially in the closing scenes, in the convent where the swashbuckling hero comes to die at Roxane's feet. I saw them together also in "L'Aiglon," in which Sarah's slender figure was admirably suited to the part, Napoleon's son. Her reading of the long speech in front of the mirror was a marvellous piece of verbal music.

I was present in the Tulane Theater on the night when Sarah and Coquelin presented "L'Aiglon" for the first time in New Orleans. An immense audience was there, but apparently only a few persons in it were really conversant with the French language. This led to a rather amusing incident. It will be remembered that the Grenadier does not figure in the first act, but the audience knew that Coquelin was going to enact the part of the old Napoleonic veteran. So, at the end of the first act, when a soldier came on the stage to recite his one line—announcing that the Duc de Reichstadt was approaching—a very unimportant actor—a super, in fact—who had nothing further to do

* At least one of Sarah Bernhardt's hunting trips seems to have been entirely imaginary. Walter Parker, in a delightful volume of reminiscence, privately printed in 1941, entitled *The Hoo-Doo Candle, and Other Stories*, says that a little group of New Orleans newspapermen, pressed for funds, invented the story of her first alligator hunt, which the great actress, who was keenly aware of the value of publicity subsequently confirmed. However, Rapho's recollections, which are followed in the text, seem to be trustworthy.

in the play—practically everyone instantly concluded that this was the long-awaited great man, and burst into frantic applause. The people on the stage were bewildered. The super, keenly aware of his own insignificance, was unable to account for the demonstration of which he was evidently the object. He thought he had committed some glaring error. The business of the stage came to a stop. Then, as the actors realized the situation, they began to smile. The audience, too, sensed its mistake, and the applause suddenly ceased. Everybody was embarrassed, and the act came to a close in rather a strained atmosphere; which did not disappear when, later on, Coquelin really came on. This time nobody applauded. Nobody was going to make the same mistake twice.

Sarah Bernhardt did not give "Madame X." that year, but, later, I had an opportunity to see her also in that part. In that play Sarah had some business with her veil in the courtroom scene that was very effective. Those familiar with that remarkable play will recall that Jacqueline has very little to say in that scene. She refuses to speak, but sits enthralled at the eloquence of her son, who is defending her on a charge of murder, although he has no idea of her true identity. Sarah's silence was magnificent. She utilized the veil to keep attention focused on herself. By manipulating that veil she made the audience understand every shade of emotion as her mood varied in response to the tremendous implications of the situation. Lou Tellegen played the part of the son, and played it very well.

Sardou's "La Sorcière" was another play in which I saw Sarah in New Orleans. I remember only that she wore a long white robe, when taken to the stake to be burned. "Camille," which Sarah regarded as her masterpiece, and which she rarely failed to include in her repertory, I saw more than once. The death scene was almost unbearable in its pathos. But I did not see the great French actress in the most singular of her performances, that of "Hamlet." She played Shakespeare's melancholy prince in a French version with so much applause that she was emboldened to try other masculine roles, and so undertook "L'Aiglon." She was also admirable as "Jeanne d'Arc," where she played the part of a young girl dressed as a man. Her genius was extraordinarily suited to the plays of Victor Hugo, Sardou, and Rostand. Some of the works of the two last-named were written expressly for her, and naturally fitted her like the proverbial glove; but, in spite of many mannerisms, which, in my

opinion, kept her from being a superlatively great actress, she infused her tremendous personality into all of her vast reportory, and gave infinite pleasure in everything that she attempted.

Sarah had many eccentricities and many talents. One of her freaks was a passion for strange pets. The first time I ever saw her was in the lobby of the old St. Charles Hotel. Some eighteen or twenty gigantic trunks constituting her personal baggage were piled up, a vast pyramid, in the middle of the hotel lobby, and on the very top perched a huge, brilliantly-colored macaw. Sarah came up with her manager, Maurice Grau, and stopped to look at the bird. She talked to it in her best stage manner. I attempted to interview her for the newspaper with which I was then connected, but she could not divert her attention from the macaw for more than a moment at a time; and most of the conversation was between me and Grau, with contributions from the distinguished actress dedicated far more to the bird than me or my newspaper.

It is impossible to find words in which to describe for the present-day reader my recollection of the personal appearance of the great French actress. In her youth she had unquestionably been beautiful in a strictly French sense, but I doubt if, by our Anglo-Saxon standards, she would have been judged so. Her exceedingly slender figure always militated against her claim to beauty. Although very fond of the pleasures of the table, she never lost her willowy grace of form. It was extraordinary how long she retained her slender, girlish elegance. At seventy-five years of age she might easily have passed for a woman of thirty, so successfully did she preserve the youthful charm of her person.

Nothing else that Sarah Bernhardt did on the stage equalled her death scenes. She invested them with poignant beauty. I doubt, however, if many among the thousands who listened spellbound to the heart-rending accents with which she breathed her soul away in "*Phèdre*," or "*Tosca*," or "*Gismonda*," or any other of the scores of heroines whose final moments she portrayed so marvellously, knew that not a few of them were played while the actress was enduring excruciating pain from physical ailments, of which she had many, and from which she always suffered more or less, but of which she was never heard to complain.

Patience was one of Sarah Bernhardt's outstanding characteristics. She would spend days and even weeks trying to correct technical defects in her organization. She would labor endlessly over some one of her company whose acting failed to come up to her exacting requirements; but when her efforts proved unavailing, she threw restraint to the winds, and her anger was devastating. After that, she would have nothing to do with the offender, either on or off the stage—not even speaking to him, under some circumstances. On the other hand, she took a keen interest in the love-affairs of her troupe, and delighted in holding a sort of "Cupid's Court" in her private car when on tour in this country. One of her amusements was gambling, but she a poor loser. As long as the cards were running in her favor, she was excited and vivacious, but the moment luck changed she became sullen and sarcastic.

Maurice Grau eventually gave up his connection with Sarah's American tours. Then Eddie Sullivan managed her for Liebler & Co. for one season. Thereafter, whenever she came to this country, she insisted on having Sullivan with her. He was in charge of her business affairs during the great fight against the Klaw & Erlanger "syndicate"—one of the most sensational episodes in the history of the American theater—when Minnie Maddern Fiske, David Belasco, Richard Mansfield, and a few other celebrities rebelled against the dictatorship that had been set up in the business, and for a time refused to appear in the Klaw & Erlanger houses. That year Sarah's itinerary extended from the Atlantic to the Pacific. Everywhere that independent theaters were accessible, she played in them; and where no such facilities were available, she played in a tent.

In Chicago, the tent was pitched on the lake front, just opposite the Auditorium Hotel, between the Illinois Central railroad tracks and Michigan Boulevard. She stayed two weeks in the Windy City, and all the notables in Chicago society "hit the sawdust trail" that led to the uncomfortable seats in that unique theater. It was during this tour that Sarah performed the most amazing feat of her whole amazing life. That year was 1910, and she was sixty-six years old. Yet she visited 103 cities, and gave 268 performances in 206 days. She had twelve plays in her repertory, and she appeared in every one of them.

In New Orleans at that time Henry Greenwall was leading the battle against the "syndicate," and Bernhardt played at the theater which he controlled—the Dauphine, I think it was then called. I saw her there in nine of her twelve plays. But I like to remember her as she was when she played Roxane at the Tulane Theater. That may not have been her greatest part, but it gave me a keener pleasure than that which I derived from the others.

She died in 1923. The news of her death came as a shock to everybody in the civilized world who knew and loved the theater. It did not seem possible that so vital a personality could really cease to exist. She was laid to rest in a coffin that had a singular history. There were in her home in the French capital two objects which never failed to excite the shuddering interest of visitors. One was the skull given her by Victor Hugo, on which he had written an autograph verse of dedication. The other was the coffin. She said she occasionally slept in it. This strange bed, she liked to explain, was padded with "memories of her dead life"—faded rose leaves from bouquets received on certain brilliant occasions, and letters yellow with age. She frequently expressed the wish that she might be buried in this coffin. She carried the idea a trifle further when, in 1922, she bought from the French government a tiny, rocky islet in the Bay of Biscay, just off her summer home on Belle Isle, and planned to erect there a magnificent tomb crowned with a statue of herself. But that elaborate program got no further, and when she breathed her last, a place was found for her to rest in the quiet precincts of Père-la-Chaise. *Requiescat in Pace!*

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**LOUISIANA IN THE SPANISH-AMERICAN WAR, 1898-1899,
AS RECORDED BY COLONEL ELMER ELLSWORTH
WOOD, COMMANDER OF THE SECOND
REGIMENT OF LOUISIANA VOLUN-
TEER INFANTRY**

Edited by **WALTER PRICHARD**

INTRODUCTION

The participation of Louisiana soldiers in previous wars in which they have served with distinction should be of timely interest at present, when our nation is engaged in the greatest war of all history. Colonel Elmer E. Wood, who commanded the Second Regiment of Louisiana Volunteer Infantry in the Spanish-American War, left among his papers two documents, hitherto unpublished, recording many interesting details of the service of his command in that war.

The first of these documents, which is printed hereinafter under the title "Louisiana Prepares for War with Spain in 1898," is contained in a bound volume, size 8½ x 13½ inches. It is neatly written in ink, in the handwriting of Colonel Wood, and covers the odd-numbered pages only of the volume, from 1 to 47, where the narrative stops abruptly while the Louisiana troops are still encamped at the New Orleans Fair Grounds, which was named "Camp Foster" in honor of Governor Murphy J. Foster. This narrative is not written in the form of a Journal or Diary, and it appears to have been recorded by Colonel Wood at some uncertain date after his return from Cuba in 1899. There is no information available as to why the author did not continue this account to the end of his service. But, as it stands, it contains a mass of information on the background of the Spanish-American War, the interest of Louisiana and the nation in the Cuban struggle for independence from Spain, the irritating incidents arising out of the attempts of filibustering groups within the United States to aid the Cuban insurgents, the destruction of the battleship *Maine* in Havana harbor, the declaration of war by the United States against Spain, and the re-

cruiting, organization, and equipment of the Louisiana volunteers in preparation for active participation in the war.

The second document, which is hereinafter printed under the title "Colonel Wood's Report to Governor Foster," is a carbon copy on thin sheets, size 8 x 13 inches, of what appears to be the original draft of a report prepared for submission to the Governor. This Report appears to have been dictated to a stenographer, who misunderstood the pronunciation of some of the proper names. It would appear that this rough draft was prepared as a basis for the report, with the intention of making corrections and revisions later. The report covers thirty-eight pages, typed double-spaced, with very narrow margins, and without any particular attention to proper paragraphing; the first break in the narrative comes on page twenty-nine, where a new paragraph begins. From this point to page thirty-three the paragraphing is normal; but the last paragraph runs from that point to the end of the report, page thirty-eight. The first and thirty-first pages of this carbon copy are missing and cannot now be located. The first page doubtless contained some introductory remarks on the report; and page thirty-one contained a part of the list of changes in officer personnel of Colonel Wood's regiment while in service.

These two interesting documents were discovered among Colonel Wood's effects, several years after his death, by his grandson, Edward G. Ludtke, Jr., now a student in the Louisiana State University. The editor is indebted to Mr. Ludtke for permission to publish the documents, as interesting additions to the published accounts dealing with Louisiana's participation in the Spanish-American War.

Elmer Ellsworth Wood, author of the documents, was born in Pittsburgh, Pennsylvania, on June 4, 1861, the son of Burris D. and Miriam Anna (Widney) Wood. His father located in New Orleans about 1866, where he was engaged in the Wholesale coal business between Pittsburgh and New Orleans. Burris D. Wood became head of the firm of B. D. Wood & Bros., which existed for many years, and was changed to B. D. Wood & Sons when the elder Mr. Wood's sons became old enough to enter the firm, and his brothers had dropped out of the organization in New Orleans.

Elmer E. came to New Orleans with his parents in 1866, but after the death of his mother in 1873 he returned to Pittsburgh to live with his paternal grandmother. While there he attended the public schools and Western University, and on December 14, 1877, he registered as a student in the Louisiana State University and Agricultural and Mechanical College at Baton Rouge. The records reveal that he was registered as from Pittsburgh, Pennsylvania, which he seems to have considered his home as long as he was a student at L.S.U. During the first session he distinguished himself in Mathematics, French and German, ranking fourth, first and first among the cadets in those respective subjects. He returned for the 1878-79 session, but does not appear from the records to have remained for the full session. His last attendance was during the 1879-80 session, but he did not remain to complete his course of studies leading to a degree. He is said to have been captain of the Cadet Corps and, in spite of the fact that he did not graduate, he must have been regarded as a prominent student, for he is listed among the members of the "Society of Alumni" after the 1882-83 session.

Upon leaving the University he entered business with his father's firm in New Orleans, where he is listed as a clerk in that firm in 1881; and he continued in the coal business in New Orleans to the end of his life.

The young man appears to have been keenly interested in military affairs, both in Pennsylvania before he took up his permanent residence in New Orleans and in Louisiana later. Soon after leaving L.S.U. he was appointed a member of Governor Louis A. Wiltz's staff, with the rank of major, and later he was also on the staff of Governor Samuel D. McEnery. In 1880 he assisted in organizing the Fourth Battalion of the Louisiana National Guard, being commissioned as captain of Company A; and later he was promoted to major and placed in command of the battalion. His service with the Louisiana National Guard prior to and during the Spanish-American War is related in the documents printed below. But his military service to the State of Louisiana did not end with his return from Cuba. He was for a time Inspector General of the Louisiana National Guard, spending about a quarter-century in service of various types with this organization. During the First World War (1917-18) he took charge of raising and organizing

the home guards in New Orleans, enlisting between 1,500 and 2,000 men in this group. He also served at the same time as a member of the State Council of Defense and was also on two or three different boards engaged in war work.¹

Colonel Wood was of small stature, being only five feet, six and a half inches tall, when enrolled as a cadet at L.S.U. But his keen interest and ability in military matters appear to have made up for his lack of a magnificent physique.

Some obvious errors in the first document reproduced below have been corrected in the manuscript by Colonel Wood or some other person. The editor has made no corrections in spelling, punctuation, etc., in that document, but has pointed out obvious errors in proper names in the footnotes. In the second document the only liberties taken by the editor have been to break up the material into logical paragraphs, in the interest of facilitating the task of the reader.

The reader will note that these are very human documents. Colonel Wood was possessed of a saving sense of humor even under the most difficult and trying circumstances. He could always see the humorous side of any situation. He is frank and straightforward in his narrative, bestowing praise where praise is due and never hesitating to affix blame upon those responsible for unfortunate situations with which his command was confronted at every step of its service. He had the best interests and welfare of his men at heart at all times, and the poor clothing, shelter, equipment and sanitary arrangements afforded his command irked him beyond measure. He was of a sociable disposition and he apparently disliked the military discipline which insisted that there should be no fraternizing between the officers and the rank and file of soldiers. He knew personally in civil life many of the privates in his regiment, and it seemed somewhat unnatural to him to feel that he was not at liberty to meet all of them on a footing of equality, regardless of rank. His efficiency and ability as a commanding officer is amply substantiated by the splendid record of service made by his command.

¹ Information on the career of Colonel Wood has been gleaned from the following sources: John S. Kendall, *History of New Orleans* (3 vols., Chicago and New York, 1922), II, 882-884; Henry E. Chambers, *History of Louisiana* (3 vols., Chicago and New York, 1925), III, 230; *Official Register of the Louisiana State University and Agricultural and Mechanical College*, Sessions 1877-78 and 1878-79; *Catalogue of the Louisiana State University and Agricultural and Mechanical College*, Session 1882-83; Manuscript Records in Office of the Registrar, Louisiana State University, Baton Rouge; *New Orleans Directory*, for years 1866-1929.

[LOUISIANA PREPARES FOR WAR WITH SPAIN IN 1898]

In February, 1895, the newspapers reported that a revolution had broken out in Cuba, and that the natives were arming themselves and were preparing to drive the Spaniards from the island.

All Americans were deeply interested in the progress of this revolution and the newspapers were eagerly scanned every morning to learn the latest news. The Spaniards hurried large numbers of soldiers to the island until within a very short time it was reported that they had over 250,000 soldiers in Cuba, sufficient, one would think, to sweep the island from end to end and terminate the war in short order. But somehow, notwithstanding the formidable force at their command, the Insurgents appeared to be having everything their own way, and in a comparatively short time the Spaniards were all cooped up in the towns and cities under the protection of their forts and blockhouses, and the Insurgents moved at will, apparently, from one end of the island to the other.

All of their fighting seemed to be of the same kind. There were few, if any, pitched battles. Their fights all appeared to be attacks upon moving columns of Spanish troops or sharp quick raids into towns, where after driving out the Spanish garrisons they would pillage the stores and residences, set fire to the principal buildings and escape before a sufficiently large force could be brought up to capture them. When columns of Spaniards marched through the island, the Insurgents would either ambush them, which was easy on account of the dense tropical growth along the roadside, or would suddenly attack them, scattering and demoralizing the Spaniards and either carry off or burn the stores or ammunition which accompanied the columns.

If the Spaniards offered resistance, the Insurgents would fall back, firing as they retreated, and would soon be lost in the thick jungles, only to reassemble and make another dash at some point miles away. In this style of guerilla warfare, they seemed to be adopting the tactics of their national sport, in which the Spanish army took the part of the angry bull, dashing frantically to and fro, being ever taunted by the agile toreadors, but never able to reach them.

The Insurgents admitted that they were not equal to risking a pitched battle, and that their plan was to worry and wear out the Spaniards and thus force them to give up the fight and grant the Cubans their independence.

But the Spaniards were determined not to give up the rich and fertile island and more troops were brought over to take the place of those who died or were incapacitated from wounds and disease, for the mortality was enormous among the poorly fed and uncared-for Spanish soldiers.

Marshall Campos,² the Governor General of Cuba, was a brave and humane soldier and he used every effort to either conquer the Insurgents or to secure such concessions from the Spanish government as would satisfy the Cubans and put an end to the ruinous war, but apparently he met with no success.

Nearly all of the financial support of the Insurgents was derived from the United States through Cubans living here, many of them naturalized citizens, or sympathetic Americans. They had their Juntas³ in every large city in our country, and held benefits and solicited subscriptions for the cause openly. Our laws prohibiting the sending of arms, stores, medicines or money to the Insurgents, they had recourse to what was commonly called "Filibustering Expeditions"⁴ and soon everyone was talking of the daring exploits of the famous tug-boats "Dauntless" and "Three Friends" who time and again secretly loaded with men and munitions of war, and evading our Revenue Cutters and warships landed their cargoes on Cuban shores often within sight of the lights on Morro Castle.⁵

The Spanish government protested repeatedly against these expeditions but although the filibustering vessels were seized several times by our own warships and revenue cutters they always escaped, at the worst with a heavy fine which was of course readily paid, and in a few days were off again on another trip.

Finally one day the American schooner "Competitor" was captured with her whole crew, by Spanish gunboats while landing an expedition on the shore of Cuba. The vessel was towed into Havana and the crew imprisoned in Cabañas, the large prison adjoining Morro Castle. As nearly all of the crew were American

² Martinez Campos remained in Cuba only eight months, which was long enough to convince him that his plan of reducing the insurgents to submission had failed. H. Butler Clarke, *Modern Spain, 1815-1898* (Cambridge, England, 1906), 456-457.

³ Councils, committees, or cliques working in behalf of Cuban independence.

⁴ New Orleans had been the center of filibustering expeditions against Cuba for nearly a half century prior to the Spanish-American War of 1898.

⁵ The Spanish fort guarding the entrance to Havana harbor.

citizens, our Government directed Genl. Fitzhugh Lee,⁶ the American Consul General of Cuba, to demand a fair and open trial for these prisoners. The Spaniards claimed that they had been caught in the act and should be put to death, and much diplomatic friction ensued between the two governments. I think the prisoners were finally released after a long imprisonment.

In the latter part of 1897 the Spanish government decided that Campos was too lenient and relieved him, appointing "Bloody" Weyler⁷ as Captain General in his stead. Weyler had made an unenviable reputation in the preceding Cuban revolution⁸ by his savage and unwarranted slaughter of men, women and children, and there arose a mighty clamor of protest against his appointment.

One of his first acts was to build "trochas" across the island at its narrowest points, which were merely long lines of earthworks, covered with barbed wire and strengthened by blockhouses about every half mile. His idea was to keep the Insurgents hemmed in and prevent them from crossing the trochas. But the plan failed totally as the Cubans seemed to cross and recross at their pleasure.

He then decided upon his scheme of "reconcentration" which was to force everyone to move into the towns and cities, abandoning their homes and farms in the country, thus depriving the Insurgents of any support from the country people. Men, women and children were herded in the towns and cities without food or shelter, and surrounded by sentinels who were instructed to shoot anyone who attempted to cross the lines. The mortality among these "reconcentrados" were terrible and they died by the thousands from starvation and exposure, until it looked as though the whole population of the island would soon perish. The

⁶ Fitzhugh Lee, son of the famous Confederate general, Robert E. Lee, entered West Point on July 1, 1852, and became a first lieutenant in the United States army on March 31, 1861. However, he resigned on May 21, 1861, to enter the service of the Confederate States of America, where he served as a major-general to the end of the Civil War. He was made a major-general of volunteers on May 4, 1898, was promoted to brigadier-general on April 12, 1899, and was honorably discharged from the volunteer service on March 2, 1901, having been made a brigadier-general in the regular United States Army on February 11, 1901. He retired from the service on March 2, 1901. Francis B. Heitman, *Historical Register and Dictionary of the United States Army, from its organization, September 29, 1789, to March 2, 1903* (2 vols., Washington: Government Printing Office, 1903), I, 327. Hereinafter cited simply as "Heitman."

⁷ General Valeriano Weyler was sent to Cuba in January, 1896, to suppress the insurrection. His harsh measures against the Cubans aroused the resentment of the United States, and he was finally recalled from the island and General Ramón Blanco placed in command of the Spanish forces in Cuba. Weyler later protested against the surrender of Cuba by Spain at the close of the war in 1898. Clarke, *Modern Spain*, 456-467, *passim*.

⁸ Weyler had served in Cuba under Balmaceda during the previous revolution, called the Ten Years' War (1868-78). *Encyclopedia Americana*, XXIX, 230.

American people were horrified and the press and people demanded that our government should request and if necessary, compel Spain to cease this wholesale slaughter of noncombatants and women and children.

After much discussion in Congress, our government finally protested to Spain and intimated that unless the policy was changed, that we would recognize the belligerent rights of the Insurgents which would give them free rights to purchase munitions of war in our country, which would soon result in their attaining their end.

This protest of course made the Spaniards very indignant, and fears were entertained that attempt would be made to injure or assault General Lee, or some of the Americans residing in Havana, and therefore our government sent the U.S. Battleship "Maine" to Havana to protect the Americans. The arrival of the "Maine" caused a great commotion in Havana, and was looked upon by the Spaniards as a direct insult and threat and things began to look serious.

On the night of Feb'y 15th 1895 at about 9 o'clock, there was a terrible explosion in or under the Maine, then lying at anchor in Havana harbor, which completely wrecked the vessel killing nearly 250 of her crew. The whole country was aroused and everyone accused the Spaniards of having blown up the ship by means of a mine or torpedo and "Remember the Maine" became the cry of vengeance.

Our government appointed a Naval Board of Inquiry who proceeded to Havana with divers and wreckers and after nearly two months deliberation and examination of the wreck, they filed a report proving conclusively that the explosion was external, that is, not from the ship's magazine as claimed by the Spaniards.

This was considered a hostile act, and on April 26th 1898, President McKinley issued his formal 'proclamation of war against Spain.

I have been told upon good authority that the long delay between the blowing up of the Maine and the declaration of war, was to give us time to prepare for war, as owing to the short-sighted policy of our Congress, our navy did not have enough powder and shells to fight a single battle, and therefore the delay was necessary.

Since July 1893 I had been the Major of the 4th Battalion Infantry of the Louisiana State National Guard. This Battalion had the reputation of being the best of the Militia organizations of the State and was composed of young men of the better class and consequently the command stood high socially and won many substantial friends among the people of our city. There were four companies in the Battalion commanded by Capt Jno B Waterman⁹ Co "C" Capt Geo M Hodgdon¹⁰ Co A, Capt M S Waterman¹¹ Co B and Capt Geo A Cooper¹² Co "D". Capt Harry A. Mackie¹³ was my Adjutant and a complete staff of commissioned and non-commissioned officers.

Early in February 1898 we had been seriously considering what we should do in the event of war with Spain, and frequent informal conferences were held among the officers, who nearly all decided that if war was declared, they would tender their services to the Government. After the blowing up of the "Maine" and while waiting for the report of the Naval Board, our conferences took a more serious turn and we began planning how we should get into the service and many were the schemes discussed.

I had always taken a deep interest in military affairs and my long service in the National Guards of Pennsylvania¹⁴ and Louisiana had only tended to increase my love for a soldier's life and duty, and this seemed to be my opportunity to gratify the longing I had always had, to be a real soldier.

So in preparation in case of war, I read up on military matters and as far as possible prepared myself for an officer's commission, which I thought myself competent to fill.

⁹ In civil life John B. Waterman was chief clerk for the Texas & Pacific Railroad, 632 Canal Street, New Orleans. *Soards' New Orleans City Directory for 1898*, XXV, 841. Hereafter cited as *N. O. Directory*.

¹⁰ In civil life George M. Hodgdon was connected with the firm of B. D. Wood & Sons, composed of Colonel Elmer E. Wood and his father and brothers, 107 Camp Street, New Orleans, *N. O. Directory*, 1898, p. 405; *Heitman*, II, 222.

¹¹ Myles S. Waterman was president of the Waterman Carbonated Beverage Manufacturing Company, 931 Gravier Street, New Orleans. *N. O. Directory*, 1898, p. 841.

¹² George Alexis Cooper was a clerk for Dwyer Bros., dealers in notions, 122 Magazine Street, New Orleans. After being honorably mustered out of the volunteer service on April 18, 1899, he joined the regular army as second lieutenant of the 15th Infantry on September 1, 1899. He was killed in action at Manila, P. I., September 17, 1900. *Ibid.*, 212, 277; *Heitman*, I, 326.

¹³ Henry A. Mackie was a clerk residing at 815 Valence Street, New Orleans. *N. O. Directory*, 1898, pp. 542, 1024; *Heitman*, II, 236.

¹⁴ Elmer E. Wood had apparently served in the Pennsylvania National Guard while residing in Pittsburgh, before he took up his permanent residence in New Orleans.

Lieut Jacques deL. Lafitte,¹⁵ 8th U.S. Infy an old friend of mine was on duty with the National Guard of the State, and I gained many valuable hints from him.

The Washington dispatches announced that if war was declared that only regiments of 12 companies each would be accepted into service, which upset our plans of offering the Battalion of four companies, so we then decided to try to organize a regiment with Lafitte as Colonel, and several meetings were held at which Lafitte delivered talks or lectures on military subjects. About this time, Major W.C. Dufour¹⁶ of the 7th Battalion L.S.N.G. approached me suggesting a combination of the two battalions which would give us eight of the twelve companies required. There had been some talk of a consolidation of the two commands some time previous, before war was thought of, and therefore the proposition was favorably received, and we began looking about for the other battalion of four companies to complete the regiment.

Meanwhile Duncan N. Hood,¹⁷ son of General Jno B Hood, a West Point graduate and with strong financial and political backing, secured from Gov. Foster¹⁸ a promise that he should have command of one of the Louisiana Regiments. Then Congressman Broussard¹⁹ also brought strong political pressure to bear on the Governor; and many other aspirants were working night and day to secure the coveted prize and it began to look as though the militia would be ignored.

At this stage of the game Major Ned Violet²⁰ of the 3rd Battalion announced that he would resign being unable to go to

¹⁵ Jacques de Livaudais Lafitte was a native of Louisiana who had entered West Point on September 1, 1886. He was appointed second lieutenant of the 8th Infantry on June 12, 1891; transferred to the 1st Infantry on December 12, 1896; promoted to first lieutenant on April 20, 1898. He served as assistant quartermaster of volunteers from June 10, 1898, to January 31, 1901, with the rank of captain; became captain of the 14th Infantry on December 11, 1900; was transferred to the 8th Infantry on January 31, 1901; assigned to quartermaster's department on March 9, 1901. In 1898 he appears to have been instructor in military science at Rugby Academy, 6163 St. Charles Avenue, New Orleans. *N. O. Directory*, 1898, p. 480; Heitman, I, 611.

¹⁶ William C. Dufour was a New Orleans lawyer, with office at 204 Carondelet Street. *N. O. Directory*, 1898, pp. 270, 969; Heitman, II, 207.

¹⁷ Duncan Norbert Hood was born in Louisiana and entered West Point on June 15, 1892; was appointed second lieutenant of the 5th Infantry on June 12, 1896, but resigned on September 30, 1896; became colonel of the 2nd United States Volunteer Infantry on May 20, 1898, and was honorably mustered out on June 22, 1899. Heitman, I, 540.

¹⁸ Murphy J. Foster of St. Mary Parish was Governor of Louisiana from 1892 to 1900.

¹⁹ Robert Foligny Broussard was a Congressman from Louisiana, March 4, 1897-March 3, 1915; United States Senator from Louisiana from March 4, 1915 to April 12, 1916, when he died. *Biographical Directory of the American Congress, 1774-1927*, 743.

²⁰ Edwin R. Violet was a New Orleans cotton broker located at 225 Carondelet Street. *N. O. Directory*, 1898, pp. 827, 1024.

war, and one of his staff captains W.L. Hughes²¹ opened negotiations for a place in the Militia regiment. He was gladly welcomed, and now having the required number of companies in sight, a committee composed of Dufour, Hughes and Hodgdon went to Baton Rouge to see the Governor and press the claims of the militia for recognition.

That same day Hood had chartered a special train and gone to Baton Rouge so that when our committee arrived they found him in conference with the Governor, who it appears had already issued a commission to Col. W.L. Stevens²² for the 1st La. Regt. and the whole fight now centered on who should get the 2d Regt. as the State was only allotted two regiments.

Thanks to the eloquence and sound reasoning of Dufour and Hughes, the Governor finally agreed to accept our organization; but insisted that it must be purely a militia regiment and refused to consider Lafitte for colonel.

As I was, next to Stevens, the senior line officer in the National Guard, the committee proposed my name as Colonel which was satisfactory to the Governor and the matter closed.

The committee returned to N.O. the following morning and after a brief conference, Dufour, Hughes and I sent a formal telegram to the Governor tendering the regiment which was promptly acknowledged and accepted by him.

Then a new complication arose, which for a time threatened to break up the whole plan. Under the Act of Congress authorizing the Volunteer Army,²³ regiments were divided into three battalions commanded by the Lieut. Col. and two Majors respectively, although the authorized drill regulations provided for three Majors to command the battalions, leaving the Lieut. Col. to assist the Colonel in his duties.

The field officers tendered to the Governor and accepted by him were, myself as Colonel; Dufour as Lieut. Col.; Hughes as

²¹ William L. Hughes was the senior member of the law firm of Hughes & Favrot, with offices at 413 Hennen Building, New Orleans. His partner was Henry L. Favrot. *Ibid.*, 419; Heitman, II, 224.

²² William L. Stevens was A. D. C. and Assistant Adjutant General of the Louisiana National Guard, with headquarters in Baton Rouge. There was a branch office at 614 Orleans Street, New Orleans. He served as colonel of the 1st Louisiana Infantry in the Spanish-American War. *N. O. Directory*, 1898, p. 1024; Heitman, II, 259.

²³ Congress passed two acts at this time: (1) "An Act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," approved April 22, 1898; (2) "An Act for the better organization of the line of the army of the United States," approved April 26, 1898. *Public Laws of the United States of America*, passed at the Second Session of the Fifty-Fifth Congress, 1897-1898, 361-366.

Senior Major and Hodgdon as Junior Major. But one of the officers of the 7th Battalion aspired to be Major of that battalion, so that when Dufour was assigned to command it, he threatened to withdraw with a good portion of the battalion. Other positions were offered him and it was only after a long and vexatious wrangle that the matter was satisfactorily adjusted. Then my own battalion raised the point that an agreement must be made that all vacancies occurring among the officers must be filled by the respective battalions regardless of the seniority of the officers of the regiment. This proved a knotty problem to solve and it was only after a conference lasting until 2:30 in the morning, that our committee reported the point settled in our favor.

All these details being settled, everybody went to work to recruit the required 82 men to the company. All of the company officers of the 4th Battn. volunteered, but to our chagrin, but few of the enlisted men, which made it necessary to recruit almost entirely new companies. Each of the three battalion armories²⁴ was a scene of unusual activity; officers and men constantly bringing in recruits; and drilling them in the elementary principles of the drill regulations. Some of the officers and men brought in recruits who were, to say the least, not of the aristocratic classes, and it was necessary to not only feed and quarter them, but some of them actually had to be furnished clothing. Everything and everybody was under a tremendous strain of excitement and it made my blood tingle to see the crowds around the bulletin boards in front of the newspaper offices and to hear the various comments of the men who stood there for hours waiting for the latest news.

If a man incautiously remarked that he was willing to fight, he was immediately accosted by some recruiter, for this was their favorite ground for picking up recruits, and almost before he could realize what he was about, he was hustled into some armory and registered as a prospective soldier.

Meanwhile, in order to make his promise good, Gov. Foster had used his influence and secured for Col. Hood, the colonelcy of one of the special "Immune"²⁵ regiments (the 2nd U.S.V. Infy.) and he was actively engaged in organizing his command.

²⁴ The armories were located as follows: Third Battalion, 629 Common Street; Fourth Battalion, 131 Exchange Place; Seventh Battalion, 630 Commercial Place. *N. O. Directory*, 1898, p. 1024.

²⁵ These "Immune" regiments were composed of men who had recovered from yellow fever and were therefore considered immune to that disease.

Even before the declaration of war, regular troops began coming into New Orleans and were encamped at the Fair Grounds and thousands of people visited the camp every day to witness the novel sight of large bodies of real soldiers. I went several times to get points, and was delighted to meet some old friends, among them Lieut. Jenkins,²⁶ Adjutant of 5th U.S. Cavalry, Lieut. Grote²⁷ of the 23rd and Lieut. Martin²⁸ of the 18th these being the three regiments encamped there.

From my office window on Canal St. I could see the long trains of army wagons passing to and fro and occasionally a troop of cavalry or company of infantry on its way to the camp. It is little wonder that I was not fit for much office work and spent the most of my time at the armories, the bulletin boards or at the camp.

During this time I had selected my staff and in doing so gave each battalion equal representation. Capt. Favrot²⁹ of the 7th was my Adjutant. Capt. Madison³⁰ of the 3rd was Quarter-Master, Dr. Archinard³¹ of 3rd was Chief Surgeon, and Drs. Chalaron³² of 4th and Rainold³³ of 7th were assistant surgeons. Sam. Herndon³⁴ of the 4th was Sergeant Major and Ed Dinklespiel³⁵ of 7th was Quarter Master Sergeant, Chas L. Babled³⁶ of 3d, Peters

²⁶ John Murray Jenkins was born in South Carolina and entered West Point on July 1, 1883; became second lieutenant of the 5th Cavalry on June 12, 1887; promoted to first lieutenant of the 9th Cavalry on February 16, 1894; transferred to the 3rd Cavalry on July 9, 1896; transferred to the 5th Cavalry on October 24, 1896; promoted to captain on February 2, 1901. Heitman, I, 572.

²⁷ William Frederick Grote was born in Illinois and entered West Point on July 1, 1887; appointed second lieutenant of the 18th Infantry on June 12, 1891; promoted to first lieutenant on April 26, 1898, and to captain on February 2, 1901. *Ibid.*, I, 481.

²⁸ George Willoughby Martin was born in Mississippi and enlisted in the regular army as a private in 1880; appointed second lieutenant of the 18th Infantry on October 22, 1886; became first lieutenant of the 20th Infantry on March 12, 1894; transferred to the 23rd Infantry on May 5, 1894; transferred to the 18th Infantry on May 22, 1894; promoted to captain on March 2, 1899. *Ibid.*, I, 692.

²⁹ Henry L. Favrot was the junior member of the law firm of Hughes & Favrot, with offices at 413 Hennen Building, New Orleans. His partner was William L. Hughes, mentioned in footnote 22, above. *N. O. Directory*, 1898, pp. 297, 1024; Heitman, II, 210.

³⁰ Charles T. Madison was a member of the firm of Stifft & Madison, lawyers and notaries, with office at 215 Carondelet Street, New Orleans. His partner was Peter Stifft. *N. O. Directory*, 1898, pp. 543, 779; Heitman, II, 237.

³¹ John Joseph Archinard was a New Orleans physician, with office at 205 Baronne Street. He won distinction during the war as a military surgeon. *N. O. Directory*, 1898, pp. 78, 984; Heitman, I, 168.

³² Frank J. Chalaron was a New Orleans physician, with office at 107 Camp Street, 7th floor. *N. O. Directory*, 1898, p. 186; Heitman, II, 198.

³³ Mozart W. Rainold was a New Orleans physician, with office at 620 Canal Street. *N. O. Directory*, 1898, p. 671; Heitman, II, 249.

³⁴ Samuel McC. Herndon was an insurance solicitor residing at 1215 Seventh Street, New Orleans. *N. O. Directory*, 1898, p. 498; Heitman, II, 221.

³⁵ Edward Dinkelspiel was the senior member of the law firm of Dinkelspiel & Hart, with offices at 134 Carondelet, New Orleans. His partner was William Octave Hart. *N. O. Directory*, 1898, pp. 354-355; Heitman, II, 206.

³⁶ Charles L. Babled, a sculptor residing at 1220 Marais Street, is the only person by this name listed in the *N. O. Directory*, 1898, p. 86. It is not likely that he would have enlisted as a hospital steward.

Wilson³⁷ of 4th and Leonce Thibaut³⁸ of 7th were Hospital Stewards, the other positions were left vacant for the time being. To my great regret I was not able to provide a place for Harry Mackie³⁹ who for years had been my Battalion Adjutant; but it would not have been fair or just to the other battalions to insist upon his appointment as my Adjutant. But both he and Capt. Fornaris,⁴⁰ the former Adjutant of the 3rd Battn., who had also been left unplaced, showed their true grit by enlisting as privates, thus setting a splendid example to the other men.

Sunday the 1st of May 1898 was a beautiful day and we were all sittng at home on the front gallery talking to some friends who had called and discussing the prospective war, when the telephone rang and upon answering it I found it was the Western Union Telegraph office, who repeated through the 'phone a telegram from Gov. Foster ordering me to report with my regiment to the Fair Grounds not later than 11 o'clock the following morning. I at once went down town, and by telephone and messengers sent word to all the officers I could reach, and spent the whole evening in arranging details.

Bright and early the next morning I was at the armory and by nine o'clock the men began to assemble. Such uniforms and equipments as we had were issued to the men, preference being given to old members of the Battalion, but the majority of them were dressed in their ordinary clothing without any mark or sign of military uniformity about them. It was surely a motley crowd. Here a militia man in his natty uniform looking an ideal soldier, on one hand a young man of the better class in neat well fitting clothing, straw hat and polished shoes; on the other hand a rough brawny recruit picked up from off the levees or out of the slums, with ragged and dirty clothing, frequently without a coat and appearing in soiled and tattered undershirt and shoes held together with strings. Bank clerks, merchants, salesmen, long-shoremen, sailors, firemen, tramps, all classes and conditions of men forming an incongruous assemblage not often seen anywhere, but all animated by the same desire to go to war and be a

³⁷ Three men by the name of Peter Wilson are listed in the *N. O. Directory*, 1898, p. 867. The editor's guess is that this man is the Peter Wilson who was a driver for Louis Grunewald Co., 715 Canal Street, as the other two men by that name are listed as "laborers."

³⁸ P. Leonce Thibaut was a student residing at 628 Esplanade Avenue, New Orleans. *N. O. Directory*, 1898, p. 797.

³⁹ Henry A. Mackie, see footnote 13, above.

⁴⁰ Joseph M. Fornaris was a member of the firm of S. V. Fornaris & Co., steamship agents, 827 Gravier Street. He appears to have been the son of S. V. Fornaris, who was also president of the Union National Bank, 232 Carondelet Street, *N. O. Directory*, 1898, p. 316; Heitman, II, 212.

brave soldier. One of the enlisted men was Hugh Williams⁴¹ an old member of the 4th Battn. who had left a splendid position as Commissary of the Pullman Car Co. in San Antonio, Texas, and come to go out with his old company.

As the hour of departure approached the officers began forming their companies and the armory became packed with spectators the majority of them being friends and relatives of our officers and men. The 4th Battalion Band had kindly volunteered their services to escort us to the camp and our Drum and Bugle Corps of boys who were too young to enlist, were also on hand to help furnish music.

At a little after 10 o'clock I received reports that all were ready and ordered the 3d and 7th Battns to move to Canal St. where we would join them with the 4th, and soon the sound of drums and bugles indicated their approach, and at the head of my old battalion I filed out of Exchange Place and took my post at the head of my regiment. The band played, the crowd cheered and many were the words and signs of encouragement, and I was experiencing one of the proudest moments of my life.—I was a *soldier* at last.

Perhaps, to the spectators our appearance was almost ludicrous, but all seemed to appreciate the spirit of patriotism, and while they may have smiled, they cheered and clapped their hands encouragingly.

Out Canal St. to Rampart, down Rampart to Esplanade where a short halt was made to give the men a rest, for the day was exceedingly warm. While resting there, an officer of the 1st La.—which had arrived a day or two previous and were encamped at the Fair Grounds—came to me and delivered a message from Col. Stevens telling me not to bring my regiment out as there were no accommodations for us. I sent word back to Col. Stevens that I was marching under orders of the Governor and therefore could not recognize his authority to change them. Besides this, I knew that there would have been a riot among our men if I had even hinted of marching them back to their armories.

The march was resumed and after a few more rests, the head of the column finally entered the Fair Grounds, and the companies formed close column and halted, and we were at last soldiers in camp.

⁴¹ No further identification seems necessary for this man.

*Camp Foster*⁴²

My first act after halting was to hunt up Col. Stevens,⁴³ who was my superior, and report our arrival to him. He appeared very much out of humor and reminded me that he had sent word that there were no accommodations for us, and said we had best go back to our armories and wait until some provision was made.

The Fair Grounds consisted of a large racing track, about one mile around, a Grand Stand, betting rink also a large brick building with a wide gallery extending around the inside, making really a second story, used for exhibits at fairs and for dancing etc. at the numerous picnics and celebrations given during the year. In addition to this was an old wooden building fitted with stalls and used as a stable for race horses. Inside the track was a large oval arena, the end towards the city being covered with a grove of live oaks, under which were pitched the tents of the 18th and 23d U.S. Regulars. The oval was cut in half by a large drainage ditch, crossed by a bridge in the center, on the far side of which were pitched about 100 tents belonging to the State.

The 1st La. having reached the ground first, had taken possession of the brick building for two of their battalions and the other, (Bartlett's)⁴⁴ were occupying the tents. This left nothing but the stable for us, and to my surprise, when I declined to return my command to the city, Col. Stevens ordered me to put a detail of 100 men to knocking down the stalls and cleaning out the stable to make it fit for our occupancy.

I had already made up my mind that we would not live in a stable, but not wishing to refuse to obey the first order received in my new career I ordered the detail made. Sam Herndon, the Sergt. Major notified the 1st Sergeants, and as it was the first time the majority of them had ever made up a detail, they did not inquire the nature of the duty and therefore they all picked out the neatest looking men in their companies and only those who were fully uniformed. When the details lined up and I saw who they were, I realized that there had been a misunderstanding but it was too late to change it. Every man had a look of eager importance on his face and appeared to be proud of having been

⁴² So named in honor of Governor Murphy J. Foster of Louisiana.

⁴³ William L. Stevens. See footnote 22, above.

⁴⁴ Cosam J. Bartlett commanded the 6th Battalion of the Louisiana National Guard, with headquarters at 905 Tulane Avenue. He served as major of the 1st Louisiana Infantry during the Spanish-American War. *N. O. Directory*, 1898, pp. 98, 1024; Heitman, II, 189.

selected on the first detail, but how quickly that look changed to one of disgust when axes, shovels etc. were distributed to them and they were ordered to knock down the stalls and clean out the old stable. But to their great credit, every man went to work with a will and soon the whole crowd were hard at work.

Meanwhile I had found Genl. E. P. Cottreaux,⁴⁵ Q.M. Genl. of the State and protested to him against the 1st La. monopolizing all of the best quarters, and after considerable discussion with Col. Stevens, my contention for an even share of the tents and buildings was recognized. Stevens then proposed that he should take the entire brick building and give me all of the tents, to which I at once agreed. I did not know how I could put 1000 men in 100 tents but, the weather being pleasant I trusted to luck, knowing that some arrangement could be made in the future.

It was now nearly dark, and the cooks had managed to get up some sort of a meal on the gasoline stoves I had brought out from the 4th Battn. Armory. It was a pretty tough meal but better than nothing. After dark, Genl. Cottreaux notified me to form the command for issue of blankets, bars, and mess outfits. So the companies were formed and marched in single file through the brick building and as each man passed he was handed a cheap blanket, a musquito bar, a tincup, knife, fork, spoon and tinplate. No attempt was made to check off each man, or even each company, and no exact count was even kept. This was the beginning of a world of trouble and confusion which kept our Quarter Masters and accountable officers in hot water in trying to get their property accounts adjusted, and it was only at the final muster out of the Regiment in Savannah that it was definitely settled. But I understand that the State has never yet been able to collect for these goods from the U.S. Govt.

The hour was growing late and still we had no habitation for the reason that when Maj. Bartlett was notified to vacate the tents he at first demurred but finding the order imperative he went about it as leisurely as possible. I kept stirring up Genl. Cottreaux and Col. Stevens and finally about 10:30 P.M. we marched in and took possession of the camp. Officers and men crowded into tents as best they could, the average being about 10 men to each tent which measured only 9 x 9 ft. Many of the men being thoroughly

⁴⁵ E. P. Cottreaux was a New Orleans coffee broker, located at 402 Gravier Street. *N. O. Directory*, 1898, pp. 216, 1024.

disgusted with this experience left the camp and went home carrying with them their blankets, bars and mess outfits, never to return. Capt. Madison our Quarter Master had discovered a small two story shed which he appropriated as an office and store-room, and finding a couple of tent flies made a bunk on the floor of the upper room and here he, Q.M. Sergt. Dinklespiel and I slept as best we could for the floor was hard and the musquitos voracious. Here my military career came near coming to a sudden termination. Hearing a disturbance during the night I started down the rickety steps, stumbled and fell, and in doing so narrowly escaped breaking my leg. In fact for over a half hour it was perfectly numb and only a close examination by the surgeon convinced me that it was not broken. By morning, it was all right except for a little soreness. My first thought upon falling was that if my leg was broken, I could not go with the regiment, and this worried me more than the prospective suffering from the injury.

In the morning everybody was out early, and my first greeting was from the cooks with the information that there were no rations for breakfast. None of the Commissary officials were about at that hour, and doing the best we could it was nearly 9 o'clock before breakfast was ready. Officers and men all came to me and seemed to think that I could give them something to eat, and those few hours that morning trying to satisfy a whole regiment of hungry men was the beginning of that crop of gray hairs which thrived so luxuriantly during the year of service and changed the color of my head to iron gray.

For the next few days there was not an idle moment day or night. It seemed as though it was an endless task to ever bring order out of the chaos. Men would come to the camp, sign as recruits, draw blankets, bars and mess outfits and becoming tired of it, walk off carrying everything with them. Others would deliberately sell their property to the barrooms and junk stores for a few dimes and then brazenly tell their officers that unless they were given other articles they would go home. As they were only in State service and the State laws did not provide any punishment to them we were helpless and unable to control them.

But, about this time the news of Dewey's splendid naval victory at Manila⁴⁶ was on everybody's tongue and the enthusiasm

⁴⁶ On May 1, 1898, Commodore George Dewey destroyed the Spanish fleet in the Battle of Manila Bay, Philippine Islands. *Dictionary of American History*, III, 332.

produced by that brilliant achievement induced many men to enlist.

About the second or third morning in camp I received an order from Col. Stevens to mount a guard of 120 men, and the attempt was made, but only for once. As everyone knows, this most beautiful ceremony is a test of the discipline and efficiency of a command, and should be gone through with the utmost precision. But to have a guard mount with a lot of green officers and men is an utter impossibility. In this case the complete ignorance and awkwardness of the men was excelled only by that of some of the officers, so that it was almost impossible to even get the guard details on to the line. Being for the most part utterly ignorant of the first principles of military drill and being clad in all sorts of costume from derby hats, frock coats and patent leather shoes, to greasy caps, undershirts and worn out brogans, the line made a sight never to be forgotten. Finally after about two hours hard work, the ceremony was finished but we took good care never to repeat it. After that, we selected details of drilled and uniformed men only, and went through the ceremony with them to make a show, and meanwhile the actual guard deta~~il~~ marched to the guard house and went on duty. It was not strictly in accordance with regulations, but we actually could not afford to make a ridiculous appearance before the immense crowds which visited our camp at all hours of the day.

Our officers and men found a splendid example and school of instruction in the guard mounts and evening parades of the regular regiments, and in time they tried to imitate the regulars in all the fine points. The Sergeant Major of the 18th U.S. Infy. was a splendid looking fellow and carried himself with a snap and dash which was the envy of all our non-coms. But try as he would, Sam Herndon, our Sergt. Major, could not copy his style and walk.

When the 5th U.S. Cavalry arrived and went into camp next to us, their guard mounts with their famous Mounted Band became the center of attraction, and Lieut. Jenkins the Adjutant and the Sergt. Major easily carried off the honors. The Sergt. Major had a trick of making his horse rear until he seemed in danger of falling backwards causing women to scream with terror and then everybody would applaud vigor-

ously when the horse quieted down. It was a very showy trick and was well carried out.

Meanwhile Capt. Frank Edmunds,⁴⁷ 1st U.S. Infy, had reported as mustering officer and Capt. (Dr.) Chas. E. Woodruff⁴⁸ of the regular medical service, as chief medical examiner and their first duty was to examine and swear in the Adjutant, Quarter Master and the three surgeons. The process of mustering was as follows:—Dr. Woodruff had fitted up one end of the second story (or gallery) of the brick building, by hanging up tent flies as screens. Officers and men were marched up and removed all of their clothing, then each one in turn was carefully examined by a surgeon, who looked him over carefully for varicose veins, scars of deep or penetrating wounds, or deformities of any kind, particular attention being given to the shape and condition of the feet. Many of the candidates were furious at being rejected on account of "flat heels" "crooked feet" etc. At the time we could not understand why they were so particular about the condition of the teeth, as they rejected all men whose molars were missing or in bad order, and false teeth were a sure cause for rejection. But after being in service a few months we found that a man with bad teeth could not properly masticate his food and was therefore always on the sick list on account of stomach and bowel troubles. The surgeons then made them exercise their arms, hands, fingers, and legs and wound up by causing them to hop across the room, first on one foot and then on the other. Having passed all this successfully, the candidate was tested for his hearing and eyesight and then measured for height, weighed and the color of eyes, hair, complexion etc. carefully recorded on a slip which was filed for use of the mustering officer. Fully one half of the men examined were rejected for one cause or another, and many of those accepted were taken, even when defective in some way, solely on account of their being "immunes" from Yellow Fever.

⁴⁷ Frank Heartt Edmunds was born in Michigan and entered West Point from Dakota Territory on July 1, 1866; appointed second lieutenant of the 1st Infantry on June 12, 1871; promoted to first lieutenant on May 6, 1879; was regimental adjutant from April 20, 1886 to January 24, 1889; was made chief ordnance officer of volunteers, with the rank of major, on July 18, 1898; became major of the 15th Infantry on May 2, 1899; honorably discharged from volunteer service on May 12, 1899; transferred to the 1st Infantry on May 18, 1899; died on July 18, 1900. Heitman, I, 397.

⁴⁸ Charles Edward Woodruff was born in Pennsylvania and entered the United States Naval Academy on October 1, 1879, where he remained as a cadet until February 28, 1883; served as assistant surgeon in the United States Navy from May 17, 1886 to April 19, 1887; became assistant surgeon in the United States Army on April 14, 1887; was promoted to brigade surgeon of volunteers, with the rank of major, on June 4, 1898; honorably discharged from volunteer service on February 22, 1899; became major surgeon of the United States Army on April 13, 1901. Heitman, I, 1057.

The War Dept as well as ourselves expected that we would see active service in Cuba, and they were particularly desirous of obtaining as many "immunes" as possible.

In view of our subsequent experience, I would say right here, that it was mistaken kindness in taking men who were below the standard of requirements, as with very few exceptions they were continually on the sick list and unfit for duty of any kind and finally nearly every one of them were discharged, thus depleting their companies, and on the whole proving more of a burden than a benefit to the command. Were I to ever organize another regiment, under no circumstances would I accept a man who could not pass the most rigid medical examination.

When the required number of 82 officers and men of a company had passed the medical examination, the whole company were lined up before Capt. Edmunds, who called the roll from a previously prepared "muster-in roll". As each man answered his name he stepped across the room and took his place in the new rank. When the roll had been counted and verified, the whole company held up their right hands while Capt. Edmunds read to them the oath of enlistment.

Capt. Lamothe⁴⁹ of "M" Co. was the first to be sworn in and the other companies followed as fast as they completed their required quota. In order to keep the mustering officer busy we adopted the plan of "loaning" men from other companies to complete those nearest ready, with the intention of transferring these men back to their own companies after the organization was completed. This eventually caused considerable trouble and annoyance, as in some instances the men preferred remaining with their new companies, many of them being offered positions as non-commissioned officers as an inducement. Then again there were disputes between the officers, all of them wishing to retain the best men and get rid of the unsatisfactory ones. The matter was finally settled while we were encamped at Mobile by my transferring about one hundred men which was apparently satisfactory to all.

As the regiment was composed of three militia battalions of four companies each, designated by the letters A, B, C, & D.,

⁴⁹ Probably Louis Lamothe, Jr., who is listed as engaged in the cutlery business, with residence at 511 Bourbon Street, New Orleans. A Louis Lamothe is listed as a cook, residing at 931 St. Peter Street. The editor's guess is that the individual referred to here is the former, although "Jr." is not attached to his name in the service records. *N. O. Directory*, 1898, pp. 484, 1024; Heitman, II, 230.

it was necessary to give them new letters which was done by placing 12 slips of paper each one bearing a letter from A to M, in a hat and draw one for each company. This resulted in the case of the old 4th Battalion as follows. A Co. became "C"; B became "E"; C became "L" and D became "H"—and the 4th Battalion became the 3rd Battn. of the Regiment.

Little by little things began to run smoother and officers and men found themselves getting more accustomed to their new positions. Many queer characters were found among both officers and men and I soon found that my position carried with it serious responsibilities. A certain officer, a lieutenant, was one of the most enthusiastic men I ever saw. He had sold out his business, wound up his affairs and in reality had recruited and organized his company and apparently would make an ideal officer. He claimed to be a veteran of the Civil War and he certainly was in dead earnest for this one. But strange to say, he was totally ignorant of the first principles of military usage or drill and appeared to be unable to grasp them even when carefully explained and rehearsed before him. For instance I would notify him one or two days in advance to prepare himself to go on as officer of the guard and would have others to go over and explain the whole ceremony to him, but when the time came he would collapse and forget everything. Neither could he drill a squad, much less a company, so I was finally compelled to request his resignation.

He afterwards received a commission in Hood's regiment, and recruited a company but was obliged to resign.

Another character was Harvey of "H" Co. who distinguished himself during the entire campaign. I had met him some six months previous and was rather impressed by him, so was somewhat surprised to see him in the ranks. He explained to me that he was in hard luck and having misbehaved, was ashamed to appeal to his friends. Having been educated at West Point, he was anxious for an opportunity to redeem himself, etc., etc. Of course I was interested and promised to keep him in view. A couple of days later I noticed him in the gang of prisoners policing the camp and at once asked Capt. Cooper what was his offense, who stated that Harvey was lazy and insolent and he could do nothing with him. I had him released, but he was back again the next day and in fact, he spent the first month or two of his

service in the guard house. It was then discovered that he was subject to spells of mental aberration and was hardly responsible at times for his words or actions. But we ascertained beyond a doubt that he was never at West Point. That was merely a scheme to get an appointment as a non-com. officer.

By closely observing the methods of the regulars, we picked up many valuable points, which were adopted at once and resulted in much improvement. In the "messing" of the regiment, we had each battalion of 4 companies to do its own cooking and to mess separately. Then the officers mess was broken into three or four smaller messes, which proved more satisfactory. The surgeons and a few of the other officers formed what was known as the French Doctors Mess under the skilful supervision of Hospital Steward Babled, and it soon became famous for the splendid cooking and elaborate dishes served at its table. Dr. Archinard was the head of the mess, and the head cook was young Begué⁶⁰ a nephew of the famous restaurateur. If a dish was unusually well cooked or served, Archinard would call Begué up before the mess and promote him a grade or two, but if the dish was unsatisfactory, he was promptly reduced, so that poor Begué would frequently rise and fall from private to Lieutenant and back again during the course of one meal. The amusing part was that Begué took it all in good faith.

Capt. Edmunds and Dr. Woodruff were the guests of this mess during their tour of duty, and formed an acquaintance with Creole cooking which will ever remain a bright spot in their memory. They must have notified their friends to be on the lookout for us, for thereafter, whereafter we went, the regular officers always asked about the famous Doctors Mess of the 2d La.

Another character was Mullen one of the nurses. He was bowlegged, crooked backed, cross eyed and as homely as sin, but an experienced nurse, and was therefore accepted on that account. Mullen was exceedingly proud of his uniform and was a great stickler for military etiquette and precision. This being known, some of the officers to test him one day, gave him two buckets of water to carry past my headquarters. Now Mullen thought he should take off his cap in passing the flag in front of

⁶⁰ Hippolyte Bégué and his talented wife operated a famous New Orleans restaurant at 823 Decatur Street, opposite the French Market. *N. O. Directory*, 1898, pp. 106, 989. In 1937 Harmanson published in pamphlet form *Mme. Bégué's Cook Book*; or *Mme. Bégué's Recipes of Old New Orleans Creole Cookery*.

my tent, but having a bucket in each hand he was puzzled for a while, but a bright thought struck him, and setting one bucket down, took off his hat and placing it in his teeth, picked up the bucket and marched solemnly past the colors properly uncovered.

In "A" Company there was a young Danish sailor named Neilson, a splendid specimen of manhood and an excellent soldier, but like all sailors he would go on periodicalsprees. The first time he came into camp drunk it took nearly the whole camp to hold him down and tie him for he had the strength of a dozen men, when under the influence of liquor. But in spite of his failing, we all liked him and we afterwards made him a sergeant and detailed him in charge of the prison gang where he did excellent work.

"M" Company had among its members an ex-prizefighter and hoodlum named "Kid Husbands", who caught the fancy of Major Hughes who used to talk to him and encourage him to be a man. All went well for a couple of weeks until one morning he was reported missing and soon after word came to camp that he was in jail for beating a Dago fruit seller. We secured his release and had him brought out to camp where he was asked to explain his conduct. He said: "Youze see Major. Me an' anoder feller was walkin' down de street a talkin' about de war, an' I wuz a carryin' a little Ameircan flag in me hand when we passed dat Dago, an' we wasn't doin' him a ting when he grabbed dat flag out o' me han' and trowed it on de groun' an' put his foot on it, an' dat was too much for me to see him show prejudice agin dat flag, so I just swiped him and den de cop pulled me in." Of course we knew this story was not true, but we could not afford to punish a man for resenting an insult to the flag, so we let him off with a mild warning.

Another man in the regiment was recognized by a regular officer as a man who had been dismissed from the regular army by court-martial for insubordination. He was enlisted under an assumed name and proved an excellent soldier, rising to the rank of sergeant and was mustered out with a perfect record.

At the end of the race track just behind our camp was the club house and extensive grounds of the "Jockey Club" the courtesies of which were kindly extended to us by the club, and it proved a delightful retreat for study and to spend the leisure hours of the day. A short distance further, on the bank of Bayou

St. John was the club house of the Louisiana Boat Club to which we had tickets, and we especially enjoyed the shower baths provided there for the members.

Our friends all seemed to vie with each other as to who could do the most for us, but our best friend was Col. A. A. Maginnis⁵¹ who took a deep personal interest in our welfare. Learning that there were not sufficient tents for all, and that the State would not or could not provide more, he bought or rented all the tents he could find in the city and also about 50 tarpaulins, which we readily converted into large tents and thus relieved the overcrowded condition of the regular tents. Finding the water supply both limited and of poor quality he was largely instrumental in arranging for a daily supply of distilled water for drinking purposes. By the way, the insufficient supply and poor quality of the water furnished by the City Water-works to the Fair Grounds camp, was reported to Washington and finally resulted in all the troops being ordered away from there and New Orleans abandoned as a rendezvous for troops during the war, thus depriving the city of the benefits which would have resulted from the distribution of the large amounts of money paid to and for the soldiers which would easily have amounted to millions of dollars.

Our commissary department was in a deplorable condition; the State had made no provision for proper cooking utensils, and while the quality and quantity of food supplied was ample, yet between inexperienced cooks and makeshift utensils the result was anything but satisfactory. Then it frequently occurred that the staff officer in charge would forget to order supplies and the men would go hungry until we could get the necessary orders, or, as on one or two occasions, we ordered supplies on our own responsibility. My somewhat emphatic criticism of the way in which the Commissary Dept. was being conducted, finally resulted in the chief commissary officer and his assistant called upon me and informed me that if I made any further complaints they would consider it a personal insult and demand satisfaction, in other words challenge me to fight a duel. As they were both somewhat under the influence of liquor at the time, I first treated the matter as a joke, but, seeing they were in earnest, I told them

⁵¹ Ambrose A. Maginnis was a prominent New Orleans capitalist residing at 2127 Prytania Street. In 1898 he was president of the Maginnis Cotton Mills; head of the firm of A. A. Maginnis' Sons, capitalists, 603 Magazine Street; and a member of the Board of Directors of the United States Trust and Savings Bank, 207 Canal Street. *N. O. Directory*, 1898, pp. 544, 817.

that the complaints would be made as usual, if necessary, fight or no fight. Seeing they could not scare me they took their departure and thereafter things went a little better.

The kitchens were located in the rear of the wooden building, across the race track from the camp. Two or three cooks, with the oil stoves brought from our armory, cooked and served the meals to the officers, about forty odd. A long rough table was built at which we stood while eating, and while the food and cooking was good, yet the lack of all the little touches of civilization in the way of table linen, good service and scrupulous cleanliness, made the meals far from appetizing. But if the officers mess was bad, just imagine what the men had to put up with. After the first day or two, we established three kitchens or messes, one for each battalion. The state furnished several large iron cauldrons each holding about 50 gallons in which coffee and soup were made. For cooking meats, etc. we improvised iron frames, somewhat like the spider frames of a Buzzaeott⁵² outfit, on which the pots and pans were placed. There being no cover or protection from the weather one can imagine the difficulty of preparing the meals for over a thousand men in all kinds of weather with such crude appliances. At mess calls, the men fell in by companies and each battalion marched in single file past its own serving tables where each man was given his ration of bread, meat, coffee, etc. and then went off to find a convenient spot to sit down and "enjoy" his "meal".

Lieut. Lafitte⁵³ having been detailed as Commissary Officer, opened his headquarters and as fast as each company was formally mustered into U.S. service, he issued them regulation Buzzaeott outfits and made them regular issues of food. They established separate company kitchens on a line in the rear of the camp, and messed entirely independent of the balance of the regiment. In this way, when the last company had been mustered in, the system of separate company messes had been established which continued throughout our term of service. Meanwhile the officers began forming small messes and much improvement and satisfaction resulted.

During all this time, our Quartermaster, Capt. Madison had not been idle, but it seemed impossible to get clothing and equip-

⁵² The editor is unable to find a more complete description of this apparatus than the one given here.

⁵³ See footnote 15, above.

ment as none had been sent to the Depot Q.M. here which we could draw, but after weeks of strenuous effort we managed to get a few hundred uniforms, etc. which we distributed among those men who were most in need. If a man got a hat, we would give a coat to the next one, and so on, with the result that while the men were finally comfortably clothed, except for shortage in supply of shoes, yet the appearance of the Regt. drawn up in line was anything but military.

As for the State Q.M. Dept. it was a complete failure. Q.M. Genl. Cottreaux was apparently anxious to do what he could but for some reason, political or otherwise, he did not seem able to accomplish very much. As stated above our regiment found only 100 9 x 9 common wall tents in which to quarter over one thousand men. Genl. Cottreaux told us it was impossible to get more tents. We then secured propositions from several local tent makers who offered to make additional tents promptly and at a reasonable cost, and requested him to have them made payable out of the \$50,000.00 appropriated by the State Legislature, but to no avail. We then fell back on our friend Col. Maginnis, who at his own expense rented or borrowed several tents from local dealers, and also secured a number of large tarpaulins such as are used on the levee for covering freight. With the aid of lumber which he also kindly sent us, we erected large wooden frames which we covered with the tarpaulins and made very comfortable if not picturesque quarters.

There having been a clash of authority between Genl. Cottreaux and Col. Stevens, the Governor issued an order placing Genl. Cottreaux in command of Camp Foster, and almost the first order he issued was one to me ordering the immediate taking down of our tarpaulin tents. I protested against this, as his only excuse was that they "spoiled the symmetry of the camp," and I finally carried my point after agreeing to change the location of a couple of tents nearest his headquarters.

The Battalion and company officers had meanwhile been hard at work getting their command into shape, and drills were being held regularly, the effect being noticeable in many ways, particularly the carriage and demeanor of the men. The regular troops drilled regularly in the City Park and our officers and men were close and attentive observers. The drills of the 5th U.S. Cavalry

was particularly attractive and the sight of the whole regiment charging at full speed across the park was one never to be forgotten.

I have already mentioned that the organization of the regiment left Capt. Harry Mackie, Adjutant of the old 4th Battn. and Capt. Joe Fornaris, Adjutant of the old 3rd Battn. unplaced and that both had enlisted as private in Co. A. The process of weeding out incompetent officers left both the lieutenancies in Co. A vacant, and Fornaris was elected 1st Lieut. and Mackie 2d Lieut. and they were mustered in as such, being the last company to go in.

Meanwhile, at my wife's suggestion, her brother had found an old darkey, Jake ——— who was willing to go with me to war to look after my tent, clothing, etc. and he proved a perfect jewel. Being one of those "old time" darkies who was accustomed to such work and having a pleasant demeanor and possessing much natural shrewdness, "Old Jake" soon became a prime favorite with everybody, and his untiring devotion to me smoothed down much of the discomforts of camp life.

Another surprise was the present from my business friends, headed by Mr. Pearl Wight⁵⁴ and Mr. Chas. S. Rice,⁵⁵ in the shape of a splendid black horse, with full equipment of saddle, bridle, spurs, and complete outfit of dress and fatigue uniforms, swords, etc. Everything was included down to the smallest detail and of the best quality money would purchase. I have never yet been able to frame proper words to express my appreciation of this generous gift. Of course "Dan", the horse, became the regiment's pet. [Here the manuscript ends abruptly.]

[COLONEL WOOD'S REPORT TO GOVERNOR FOSTER]

[Page one of manuscript missing.]

of politics moistened for one moment, the mirror, that has reflected so well the material which composed the whole Regiment, I have the honor to command. Never has an appointment, to any office, been tainted with preference or partiality. The whole command has undergone its term of service without one word of

⁵⁴ Pearl Wight was President of Woodward, Wight & Co., wholesale grocers, 406-418 Canal Street; vice-consul of Sweden and Norway, 410 Canal Street; vice-president of the Whitney National Bank, 613-617 Gravier Street; second vice-president of the United States Trust and Savings Bank, 207 Canal Street; and a director of the Board of Trade, 320 Magazine Street. *N. O. Directory*, 1898, pp. 858, 953, 1030, 1032.

⁵⁵ Charles S. Rice was the senior member of the law firm of Rice & Montgomery, with offices at 107 Camp Street. His partner was Richard B. Montgomery. *Ibid.*, 685, 970.

scandal being attached to any of its doings, and it is with the greatest pleasure and the sincerest gratification, that I can register your Excellency's encouragement in this cause.

It would be almost repetition to register here the primitive organization of the three separate commands that composed this unit. We found, and I may be pardoned for suggesting that you found, as well as I, deficiencies in our State Organizations, for the active service contemplated by the Government of the United States. We found lack of equipment, insufficiency of arms, and in a large measure, inefficiency of officers, for an emergency such as we were required to meet. It was therefore many weeks, before the different elements which composed the Militia of Louisiana, as it was then formed, could concentrate upon a plan of action, whereby the companies and battalions could be merged into one unit.

It seemed inevitable that the 2nd Louisiana should be formed just as it was. Conditions tended to the amalgamation of the three greater Militia Battalions in New Orleans. It seemed inevitable that it should be officered as it was. When first representatives of the 4th, of the 3rd and of the 7th Battalions came together, to consult, the idea was, the formation of a command differently constituted and differently officered: in fact it was well known to most of the membership, that Lieutenant Lafitte of the Regular Army and Inspector of the National Guard at the time, was expected to command a regiment of the State troops, in the service of the United States. Lieutenant Lafitte was certainly not averse to the proposition and the idea, but superior authorities seemed in no haste to give him requisite permission to accept a commission. At that time this seemed necessary.

It therefore was some time before it was determined to organize independent of any Army Officer, when the three battalions came together, consolidated, concentrated upon myself as its head and tendered, through its representatives, the services of this consolidation to your Excellency at Baton Rouge. Your Excellency knows how these services were accepted under adverse influences and under adverse circumstances. Your Excellency knows too how the regiment was officered when ordered into encampment at Camp Foster. For all the good work that you have done for the Militia of the State, for all of your pains, for all of your trouble and for all of your solicitude for its efficiency, Camp Foster was

certainly a misnomer. It never reflected any credit upon the Governor of Louisiana.

We reached camp, as a body it is true, 12 companies strong but a heterogeneous mass of our cosmopolitan population, that included almost every nationality but Indians and Negroes, and every known costume the civilized world can witness. From the armories of the respective militia battalions this mob, kept ordered and a bit quiet by the more respectful discipline and subordination of the older militia, marked past through the streets of New Orleans, resembling perhaps more a Coxey's Army⁵⁶ than a military body, and reported to Colonel Stevens then commanding the camp.

The situation at the camp was by no means inviting. The State was unprepared for this emergency, and found itself with two large bodies the like of which had not been known in the Militia before, which not only had to be fed but had to be housed. The quantity of tentage in the Quartermaster's Department was absolutely inadequate and it became necessary to make use of the buildings by the race track to afford shelter to the command. There were not even blankets or covering supplies of any kind for the men. It was not strange or remarkable that confusion reigned supreme in the various military departments that had charge of the issuance of the necessities to keep the State troops in camp.

My regiment was first assigned to the stables for quarters, but the surgeon's positive condemnation of these from a sanitary standpoint, brought about a series of compromises, that resulted in the 2nd Louisiana being placed in tents in the center of the race course. The 1st Louisiana took charge of the buildings.

This was only a beginning for the difficulties. There was nothing to eat. The Commissary Department, in great haste, made large purchases of travel rations from the wholesale groceries of New Orleans, and began an issue of food to the men who had left their homes after breakfast, marched some miles to the point of encampment, and had nothing issued to them in the way of rations until 8 o'clock that night. In a great cosmopolitan city like New Orleans this seemed a shame and the kicks were vigorous. Complaints were heard on all sides and while the day we

⁵⁶ The so-called "Coxey's Army" was the motley crowd of employed which marched from Massillon, Ohio, to Washington, D. C., early in 1894 as a protest against the condition of the laboring class during the Panic of 1893. This march received a great deal of publicity and was familiar to all citizens of that decade. *Dictionary of American History*, II, 82.

marched in camp we registered upwards of one thousand men in the three battalions, the 2nd Louisiana scarcely numbered six hundred on the morning following.

These were not all of the difficulties. The first night the men had no blankets and no mosquito bars, and the little pests of that vicinity had a well whetted appetite for soldiers blood and if it was the only blood we had spilled in the war, and if the wounds were not serious these boys spent a whole night of torture, and had few thanks to bestow the next day. These primary influences caused the command to suffer much. As we have gone through months of service and surmounted difficulties of greater magnitude, we realize how few and how insignificant these were, but they were mountains then, with hard and rugged sides to climb.

The following day brought an improvement in the conditions and a complement of blankets and mosquito bars were issued to every man in the regiment. It is true in the hasty formation of the troops and the hasty purchases made necessary by the conditions, that these articles were of an inferior grade and not, in any way, adapted to the military service. The number that was issued to this regiment it is impossible now to estimate. I found that men would enroll in the various companies, report for duty without a uniform, get his issue of blankets and of mosquito bars, become dissatisfied with the hastily purchased rations that were issued to the men, badly cooked upon ill improvised kitchen apparatus, and the day after they were deserters to the great patriotic cause.

In the assembling of a thousand and some odd men it was impossible to keep the cream and the elite of society in the ranks. It is true that the best, under the circumstances, was done, yet much valueless material presented itself for our acceptance or rejection, and much valueless material was mustered into the service as will be shown by the subsequent discharges. The days that follow while covering some slight improvement, also covered greater numbers of desertions and shirking of those duties which are expected of the militiaman as well as of the Government soldier, and it would scarce be an exaggeration to suggest that upwards of 1400 men presented themselves from May 2nd to May 26th for admission into the 2nd Louisiana Volunteer Infantry, and the command left about 960 strong.

During the period of muster in and the first of the companies of this regiment mustered in, Company "M" was mustered in on the 11th day of May, we were met with all manner of untoward conditions, which inexperience in the preparation of food as well as inexperience in its issue, marked the greatest inconveniences and difficulties which we had to surmount. For the better class of men it required a strong effort of patriotism to take them from good homes and pleasant surroundings, to be mustered in leaky tents and fed on the rations that was given us.

Coupled with that was another regiment of volunteers recruiting at the time and drawing from the legitimate material that was at the disposal of our command within the limits of the City of New Orleans. This is not registered in any sense of complaint, rather in the sense of reporting facts. After the 11th of May each of the 12 companies, successively, were mustered into the service of the United States, until the last was sworn in on the 25th, and myself and staff (such as had not already been sworn in) on the 26th of May, 1898. I immediately reported the mustering in of the Regiment both to the Adjutant General of the State and to the Adjutant General of the United States Army.

The same day, May 26h, at about 10 o'clock at night, I received a telegram from the Adjutant General at Washington, ordering myself and command immediately to Mobile, Alabama, or as soon as transportation therefor could be furnished. I also communicated with the Quartermaster General's Department, at Atlanta, Georgia, to obtain the necessary transportation and to fix the date of departure. For the next two days all was preparation. The camp was covered with the friends and relatives of those who were about to leave, as we all then thought, within two weeks to be landed on the Cuban soil. It seemed inevitable that the southern troops should be the first to brave the summers of that tropical climate, and we had great hopes that in a short while, we would be in the thickest of the fight.

Your Excellency visited Camp Foster and your Excellency knows the difficulties attendant upon the formation and muster in of this regiment. On the 29th day of May 1898, the Second Louisiana Volunteer Infantry marched through the streets of New Orleans to the L.&N. Depot for embarkation to Mobile. What the Regiment saw on that route from the Fair Ground to the River Front, beggars all description. New Orleans turned

out to see us off. The whole City was there. Every man, woman and child that could possibly line the thoroughfares, and the scenes were affecting in the extreme. It had been something over thirty years since any troops had left home and there was much to bring the tears to the eyes of many, much in reminiscence, much in real substantial sorrow and regret, and no people know how to remember so well their soldiers, and no people know so well how to give them encouragement and hope and nerve them to do, and die if necessary, than those over whose destinies you have the honor to preside. It was a great day; perhaps New Orleans has never seen a more thorough exhibition of her devotion to the patriotic call of duty. Every man went: not a man was left behind, and hardly a parent or hardly a relative or hardly a friend could really say that they regretted the departure of their boys. The pulling out of the train was even a more exciting and a more affecting scene than the march through the streets, and with heaving hearts 960 men left the City for the trials and uncertainties of camp life and a soldier's duty.

We pulled out of New Orleans in the afternoon and reached Mobile late that night, where we were met by General Coppinger's⁵⁷ Aide, Captain Hutchison.⁵⁸ Provision had been made to furnish the men with liquid coffee on arrival and right out in the pine woods, on the outskirts of the city of Mobile, the coffee had been made and was given to the men, but it was decided that the regiment should sleep upon the train that night, and such sleeping as it was. The officers and men made beds on the seats of the day passenger cars, the weather was warm and the mosquitoes got in their work. We had hopes that we had left them behind, but we were in a flat country around Mobile, where the pests abounded.

Captain Hutchison informed us that on the following morning the train should bear us to the vicinity of the camps. He

⁵⁷ John Joseph Coppinger was born in Ireland. On September 30, 1861, he became captain of the 14th Infantry; became colonel of the 15th New York Cavalry on January 27, 1865, and was honorably mustered out of the volunteer service on June 17, 1865; was transferred from the 14th to the 23rd Infantry on September 21, 1866; became major of the 10th Infantry on March 20, 1879; lieutenant-colonel of the 18th Infantry on October 31, 1883; colonel of the 23rd Infantry on January 15, 1891; brigadier-general on April 25, 1895. He became major-general of volunteers on May 4, 1898, and was honorably discharged from the volunteer service on October 31, 1898, having been retired on October 11, 1898. He had a long and distinguished career in the army. Heitman, I, 327.

⁵⁸ Grote Hutcheson was born in Ohio and entered West Point on July 1, 1879; became second lieutenant of the 9th Cavalry on June 15, 1884; first lieutenant of the 8th Cavalry on April 20, 1891; transferred to the 9th Cavalry on April 27, 1891; was made captain and assistant adjutant-general of volunteers on May 12, 1898, and was honorably discharged from the volunteer service on April 13, 1899. On June 9, 1899, he was made captain of the 6th Cavalry. *Ibid.*, I, 560.

inquired as to what equipage we had, as to what we might need, notably as to the condition of our larder (that was very short), but we had travel rations for the morning breakfast and even for the midday meal.

The next morning the train was pulled in the rear of the City of Mobile, about seven miles, and we were given the first view of one of the best camps we have had in say twelve months. The location was good, the drainage was good, the grounds were good, all turfed, free from mosquitoes, a cool and pleasant temperature always.

Immediately upon arrival I reported to General Coppinger, and was assigned to the 2nd Brigade, 1st Division, 4th Army Corps, with the 1st Texas Volunteer Infantry. General Coppinger left a few days afterwards and then our Commander was General Schwan,⁵⁹ commanding the First Division. We found in the camp the 8th and 23rd Regular Infantry, the 5th Cavalry, the 1st and 2nd Texas and the 1st Alabama. We had been there but a few days when the First Louisiana under Colonel Stevens, joined us.

Nothing could be more pleasant than the stay in Mobile. There we were properly equipped and given complete cooking utensils, etc. We were properly rationed. The cooks in our various companies had acquired experience in the art of preparing food for that number of men, the order was good, the climate was salubrious and healthy. The drill grounds were the best we saw in the service and the country was beautiful. There we worked hard, drilling every day 4, 5 and 6 hours, not taking the regiment, as might have been expected, and perfecting ourselves in small matters, to acquire larger ones, but every day going through battle exercises preparing ourselves for the fight and the fray. There we remained under that excellent and magnificent soldier General Schwan, who gave his constant attention and personal supervision to even the details of each regiment, learning to become soldiers in the sense of fighting soldiers. We learned the lesson well.

⁵⁹ Theodore Schwan was born in Germany; entered the United States army in 1857 and served with distinction during the Civil War. He remained in the service and was made a brigadier-general of volunteers on May 4, 1898, and assistant adjutant-general, with the rank of colonel, on the 18th of the same month; was again brigadier-general of volunteers on April 14, 1899, and was honorably discharged from the volunteer service on February 21, 1901; became a brigadier-general in the regular army on February 2, 1901, and was retired from active service on February 21, 1901. *Ibid.*, I, 867.

On the 14th of June, General W.W. Gordon⁶⁰ of Savannah was assigned to the command of the 2nd Brigade, then composed only of the 2nd Texas and 2nd Louisiana, the 2nd Texas being the senior regiment and a few days afterwards the third regiment was added to the Brigade, when the 2nd Alabama reported for duty. The 2nd Brigade commanded by Gen. Gordon made a reputation in Mobile in its short stay there, and a reputation in Miami, in its more extended stay. Just at this time yellow fever declared itself in some of the Gulf coast towns of Mississippi, and the scare of yellow fever created much uneasiness to the commanding officers. Recruiting parties that had been sent to New Orleans to swell our ranks under the amended call for troops, were brought back and all communication with the Gulf towns ceased.

The situation became so aggravated that it was thought best to remove the troops from any possible chance of infection, and immediately orders were issued for removal to Mount Vernon, Alabama, a forty mile trip from Camp. On the 24th of June, orders were just as suddenly revoked, and the contrary orders for the embarkation of the whole of the First Division from Mobile to Miami were put in force and effect. That move was an important one. It was thought by the General commanding and all parties in interest, that from Miami to Cuba was but a short step, and it was really supposed at the time, that the War Department would embark troops from Miami to the Island of Cuba.

The travelling from Mobile to Miami was delightful. The reception given the troops all along the line, most particularly in Florida, was an enthusiastic exhibition of patriotism. Our regiment was wined, dined and feted at every step and each little town vied with the others in the excellence of its entertainment. The Louisiana boys did not object to that. They found themselves at home wherever the pretty women were.

We reached Miami on the day of June and were ordered to camp at the railroad station. The men slept that night on the floor. They found the cool and pleasant sea breeze very gratifying at that season and no mosquitoes strange to say. I rode to camp the following morning to look at it and when I saw the desolate waste of coral rock covered with a few scraggy

⁶⁰ William Washington Gordon was born in Georgia and was commissioned as brigadier-general of volunteers on May 27, 1898. He was honorably discharged from the service on March 24, 1899. *Ibid.*, I, 465.

palmettoes, absolutely not a place where the men could pitch a tent, except on bare rugged rock, my heart sunk within me. It seemed to me to be impossible that the justice of the Army officials could have been so warped, and their inhumanity so hardened, as to put us in such a spot. The more I saw of it the more I became disgusted with it. I hated to march my men there and tell them, that even for a day, that was to be their home. There was no helping it. It had to be done and it was done. The work the regiment did in clearing the grounds and improving the conditions was a marvel to me. While I directed, suggested and encouraged it seemed to me it was the greatest job of my life and it was an experience they will not forget. It may have been a valuable one for us to get used to the duties of an active campaign. There were no tent floors at first and the men had to sleep on the bare rock with nothing but a blanket.

Conditions improved so far as the ground was concerned as time went on. The rocks were dug out and sand put in to make the place bearable, but if the camp site improved in point of physical comfort, the health and sanitary conditions became radically worse. Immediately after the arrival of the Regiment, the experience of Doctor Archinard, our Regimental surgeon told him that it would be impossible to preserve the health of the men under the conditions that surrounded them. Water was drunk from wells that drained through a coral formation never more than 20 feet below a surface that drained the offal and the garbage of 7000 men. Besides it was simply a seepage from the neighboring sea, robbed of its salt by percolation through a porous limestone. Doctor Archinard made his report primarily to me and from me they were made through the proper channels and brought to the attention of the proper authorities.

There was a disposition to question the value of our surgeon's objections but Archinard brought the test of a clear headed investigation and moreover submitted the waters that the soldiers drank to the chemical tests and analysis, proper for the proof of the case he had submitted. Samples of this water were sent to his brother⁶¹ the justly celebrated bacteriologist and to Doctor

⁶¹ Paul E. Archinard was a New Orleans physician, with office at 205 Baronne Street where he apparently practiced with his brother, John Joseph Archinard. He was also vice-president of the New Orleans Polyclinic, a clinical school for graduates in medicine and surgery, located at the corner of Tulane Avenue and South Liberty Street; and Professor of Diseases of the Nervous System and of Clinical Microscopy in that institution. *N. O. Directory*, 1898, pp. 78, 984, 1031.

Metz⁶² the well known chemist of the Board of Health. Both of these gentlemen found noxious and poisonous substances, to a remarkable degree, which said poisons, and I now report from memory, "Killed guinea pigs in 18 and 24 hours respectively after inoculation." The water supply came from these driven wells and just stated and from the Everglades of Florida. Both the waters submitted to the test gave the bad results.

Sickness began to increase and conditions became alarming. It was then that the Commanding Officers began to realize that Archinard was not such a fool of a Frenchman as they had made him out. They began to listen respectfully to his objections, to consult him and his sanitary views. His views and opinions were sought not only by the Surgeon in Charge but by the Surgeons of all the Regiments. Archinard became, in a measure a local hero. He made the first fight and he stubbornly held his ground until the regiment was removed from this pest hole.

Day after day the sick list became larger and it was ascribed to every cause imaginable. One officer called it "Too much drill"; one officer called it "Too much sun"; others called it the eating of green fruit; the knowing ones said, "The evil is with the water". Complaints from the bowels and fevers of a typhus type were too pronounced and too general for the cause to be mistaken. At one time this regiment of scarce 1100 men had 306 men sick, at one time, in the hospital or just about one third of the command and still it is said that the camp site had been passed upon by Army Officers and pronounced good.

It is unfortunate that just at this time, or a little before perhaps, in a spirit of boast, the representative of the Flagler⁶³ system of railroads and hotels, made the remark in the hearing of many, that the regiments would stay there so long as it pleased the owner of the premises to keep them; that his influence had secured the encampment; that the place was reaping the benefit of the encampment, and that there was influence sufficient to hold them there for an indefinite period. This created a spirit of indignation that resulted in every measure of outward

⁶² Dr. Abraham L. Metz was Professor of Chemistry and Medical Jurisprudence in the Tulane University Medical School, as well as City Chemist of New Orleans. *Ibid.*, 572, 1017, 1023, 1039.

⁶³ Henry Morrison Flagler (January 2, 1830-May 20, 1913) was an associate and partner of John D. Rockefeller in the Standard Oil Company, organized in 1870. About 1886 he began the purchase of small railroads in Florida, which he combined into the Florida East Coast Railway. The line, which was later extended to Key West, was completed to Miami in 1896, and a system of palatial hotels was built in the principal towns along the line. He was one of the great promoters of eastern Florida as a winter resort. *Dictionary of American Biography*, VI, 451-452.

expression. Never was the name of Flagler heard by most of the soldier boys but in the most abject contempt, and it seemed as though it could not be realized that others were equally responsible and blameable. They cleared his land of rocks, they built and macadamized his roads and still they were supposed to be serving the Government of the United States.

The climax came when Lieutenant Nelson⁶⁴ of Company "K" this Regiment, died. Then occurred an open disagreement if not even a rupture between the hospital surgeons and Major Archinard. The Hospital surgeons as well as the Chief Surgeon seemed solititous of upholding the reputation of the place, and it would not be admitted by them that Lieutenant Nelson had died of typhoid fever. Archinard insisted upon holding an autopsy and when Nelson's body was brought into camp ready for interment, he invited the surgeons of the neighboring regiments to witness that autopsy and proved, as a result of the investigation, that typhoid fever had been the cause of death. The complaints among the men as well as the officers were loud: brought about an open rupture between the Chief Surgeon and most of the regimental surgeons but most particularly with our own. Officers of this regiment, right at the headquarters of the First Division, and in the presence of the Commanding General, failed not to denounce the hospital and the chief surgeon in the most unmeasured terms.

A new discovery at this time aggravated the conditions. Several of the men lying sick and at death's door were visited by their comrades and the reports of the conditions surrounding them at the hospital were horrible and nauseating. We were told that their linen and bedding was filthy; were told that there never was any policing about the premises. We were told that men who were nearly on their death beds and many of them quite so, were lying exposed to the flies and mosquitos, with no hand to brush them away or to soothe. Our officers immediately took the matter up and began an investigation of the conditions. We had never been allowed to take care of our own sick. Our surgeons only went to the hospital as casual visitors and were not admitted there as practitioners.

As a result of our investigations we found the conditions, as reported above, only too true, and another row was raised

⁶⁴ John D. Nelson was first lieutenant of the 2nd Louisiana Infantry. Heitman, II, 242. It is impossible for the editor to identify his position in private life, as there are several "John Nelson" entries in the *New Orleans Directory* for 1898, page 610, as well as several others with middle initials, but no "John D. Nelson."

against the Medical Department, resulting, this time, in the superior officers taking a very decided stand in favor of the regiments and their medical officers. General Gordon, and his noble wife, promptly came to the rescue and soon afterwards began the period of amelioration, not that the sick became better or that the number of the sick decreased, but that the care taken of them was a decided improvement over previous conditions. The reports of the condition of affairs reached the ears of General Lee⁶⁵ as well as of the Department at Washington. The newspapers of the country circulated the most horrible stories of privation, disease and death. Miami was a Hell-Hole, if there ever was one. General Lee sent his inspecting officer and his chief surgeon to make an immediate report upon the conditions. Neither one of them gave a very flattering account of the place as a camping ground, and as a result the regiments were subsequently removed after six weeks stay in this particular camp, for it seemed as though the camp may have been given, as was generally understood, to this place, in payment of some political debt.

It was here, we learned the lesson of experience too, in the art of war, under the most disadvantageous conditions, or perhaps it might be said, under the most advantageous conditions, to make an hardened and substantial fighter. The drill grounds were awful. They were marsh and coral rock, that tore the feet and in many instances, disabled men and horses. One young man from the regiment was discharged on a physical disability certificate, being incapacitated by drill over the sharp coral rocks of Miami. At home the people knew but little of the real troubles the boys were encountering, and until the situation was aggravated and the excitement intensified by the death of that popular and courteous gentleman, Bertie Sneed⁶⁶ of the 1st Louisiana. Sneed's death simply brought matters to a head in New Orleans, and created conditions which you are in a better position to know than I.

We felt that as a result of all these conditions something must be done for the preservation of the health of our men, and we undertook, at a personal expenditure, to boil all the water, used for drinking purposes. It cost us in the neighborhood of \$160 to provide a crude apparatus, that was destined to give our men a limited supply of drinking water boiled to prevent its dele-

⁶⁵ Fitzhugh Lee. See footnote 6, above.

⁶⁶ Gordon L. Sneed, second lieutenant of the 1st Louisiana Infantry, had been a reporter for the *New Orleans Times-Democrat*. *N. O. Directory*, 1898, p. 764; Heitman, II, 258.

terious and baleful effects. In our efforts at sanitation we were heartily seconded by General Gordon. He had become such an admirer of Archinard, and had been so impressed by the stand he had taken in the fight against the health conditions of the place, that he appointed him to the vacant surgeonship of the Brigade.

In that capacity Archinard was able to do valuable work, and he never hesitated to send in ringing reports against Miami and "Camp Hell" as the boys had named it. Indeed it seemed a fitting name, for just beyond its limits, flowed a little stream, whose dark waters invited a suggestion that found expression so well in the name applied to it by some of the men, and "Here is Camp Hell and there is the River Styx" became familiar. The result of the investigations and constant hammering soon brought a change. The first move was made by the hospital. They were bound to furnish good service; to detail proper and efficient men to take care of the sick, to provide an adequate number of surgeons and competent physicians and to prescribe for them, and as a result, Doctor Chalaron, of our regiment, was put on duty with the Division Hospital and in the neighborhood of 20 men detailed as stewards and nurses.

The black eye, Miami had received through the columns of the Press and by the official reports, made it an undesirable camp then from a political point of view. Its real undesirability did not seem to be so much considered as the fact that it was giving a constant black eye to the Powers that Be. The news therefore that the regiments were to be ordered away was neither surprising or unlooked for. Neither was it surprising that the first regiment that was given transportation was the Second Louisiana Volunteer Regiment of Infantry, and Mr. Flagler's representative personally supervised their departure with a "Thank God that he had gotten rid of such everlasting kickers". A few compliments passed between Mr. Flagler's representative and some of our officers before parting and a promise that some day when there was freedom to speak, he would hear the real opinion of the 2nd Louisiana, as to Miami.

The joy expressed by the men at leaving lower Florida, beggars any description. They got on the train and sang songs in which Mr. Flagler was exposed to every species of ridicule, and there was not a regret nor a sigh from anyone when Miami faded

from sight. Our destination was Jacksonville. On the 4th of August we reached that place and were placed in camp on the banks of the St. John; a beautiful spot in Fairfield. We reached this place in the early morning, saw it covered with weeds, and briars and bushes of every description, but there was not a rock nor a palmetto tree and the boys dubbed it "Paradise"! The transition from "Hell" to "Paradise" was sudden but the boys thought it complete.

In Jacksonville all the conditions were favorable to a good camp. The ground drained well on a gentle declivity to the banks of the river St. John. Except in the middle of the day the weather was not too warm and the nights almost always cool and pleasant, and strange as it may seem, we have to register that during the three months we stayed in that camp, we never used a mosquito bar. Mrs. Gordon, the loveable wife of our Commanding Officer had preceded the troops and had provided for them coffee on their arrival. Her attentions were largely appreciated and the boys fared not so badly except that the railroads refused to furnish facilities under their contract they were bound to furnish. I therefore refused to sign for complete transportation and I do not know whether they have collected it yet.

Only a few days, and these Louisiana boys, who had experience in making a clean pleasant camp in the rock, made a beautiful garden of the camp in the sands, and there was placed at our disposal, every convenience, that could possibly make us both comfortable and healthy. The water supply was excellent. The first thing Archinard did was to go around looking for bacilli and bugs in everything he came across. It was said that he even examined the sands to find out if there was not some crawling insect to spread contagion.

But even Archinard found nothing. After he had been in Miami for a while he had his microscope sent to him from New Orleans, and the things that microscope could not find were not in existence. Archinard examined everything: the water, the food, the ground, the latrines and the hospital site. He examined even the weeds and lilies that lined the banks of the River, and the only thing that he discovered in the whole course of his investigation, was that at the point of our encampment the St. John was wider than the Mississippi, and that made John's heart sad.

The rough experience had helped the regiment in every way and we were soon as comfortable and had as nice a time as we had

had in the service. Our system of drainage and sewerage was operated by a process of flushing that emptied itself beyond the camp into the river. We had good stables for both public and private animals and it was possible to keep them in a good sanitary condition. Shade trees were plentiful and our only drawback was the sand which was a little deep but nevertheless immeasurably better than the coral rocks.

As a result the health conditions immediately improved and the regiment got along very well, but dissatisfaction broke out about the time the First Louisiana was ordered out of the service. A large number of the men began to express dissatisfaction though it never came to the ears of the regimental officers. There was a general demand at home, to have this regiment mustered out of the service, and I telegraphed your Excellency, simply, that we did not wish to be mustered out and I believed that I expressed the sentiment of the regiment. If I may have been mistaken it was rather an error due to lack of information that was not available than otherwise. It suffices to say that the regiment remained in the service, and I do not think that there is a man in it that regrets the subsequent experience.

In the latter part of August Archinard was appointed by President William McKinley a Brigade surgeon and was ordered to Santiago, for duty. This promotion was certainly a partial recognition of Archinard's valuable services, though hardly made quite in that spirit. Few men have been so faithful or so stubborn in his advocacy of what he thought to be right. Archinard knew little about military, and the Blue Book, to him, was an unknown quantity, but he did know something about medicine and about bugs and he could find them and he knew them when he did find them. If Archinard wanted something he proceeded to get it if he upset all the precedences in the Army Regulations to get it, and he was plain spoken and frank in his expression of opinion and did not care to whom he expressed it. Everybody recognized his worth and I think if he ever had an enemy nobody knew it. We were all sorry to see him go. He was succeeded by Chalaron, Captain and senior Surgeon, while Chalaron's place was filled by Allen Jumel, Jr.,⁶⁷ who has done good, faithful and energetic service ever since.

⁶⁷ Allen Jumel, Jr., was the son of General Allen Jumel, adjutant general of the Louisiana National Guard. *N. O. Directory*, 1898, p. 1024; Heitman, II, 227.

It is the experience of all camps that they grow stale after a short period of use, particularly so in the summer months. Natural conditions about Jacksonville were not particularly conducive to health under any circumstances and the concentration of nearly 35000 men, more than doubling the population of the place, were scarce conducive to the improvement of sanitary arrangements. Therefore it was not long before the staleness of these camps made itself felt, in spite of the greatest precautions taken by the regiments. Fevers of the malarial types showed themselves, then the fevers of graver types of typhoid form. We never had the same sick conditions we had in Miami, but we did have plenty of sick people and some very serious cases, while we lost a number of men, a summary of which will be given hereafter.

During the month of September we had the misfortune to lose that energetic and able commanding officer who had been with us since his assignment in Mobile, for General Gordon bade his adieus to accept a place on the Porto Rican Commission. The general's ideas of discipline were to many of us, eccentric, to say the least, but he accomplished results. He taught us a maxim that became a regimental formula when he gave vent to that celebrated remark addressed to one of our field officers "Sir, I want results, not explanations". It was therefore some time perhaps, before General Gordon really became popular with our regiment, and we never appreciated him so much as when he left. We knew too that he had a kindly feeling for us all. He showed it on every occasion and it was impossible for us to forget the great and valuable work that his good wife undertook when we were suffering in the hospitals in camp. The leave taking was very affecting.

The command devolved upon Colonel Openheimer⁶⁸ of the 2nd Texas then senior officer but Colonel Openheimer's management of affairs was destined to be short lived. His regiment was ordered mustered out about the same time that the 1st Louisiana went home. The 2nd Alabama was also ordered away about the same time, and we were left for some days, an independent command in the First Division. In the re-brigading of the troops, we were assigned with the 1st Texas and 3rd Nebraska to the 1st Brigade under the command of General Lloyd Wheaton.⁶⁹

⁶⁸ Louis M. Openheimer was colonel of the 2nd Texas Infantry. Heitman, II, 244.

⁶⁹ Loyd Wheaton was born in Michigan and entered the army in 1861 at the outbreak of the Civil War; had been brevetted colonel before the close of the war, and was honorably mustered out on May 4, 1866; reentered the regular army and had a distinguished career therein prior to 1898; became brigadier-general of volunteers on May 27, 1898, and was promoted to major-general of volunteers on June 18, 1900; was honorably discharged from the volunteer service on February 28, 1901; made major-general on March 30, 1901; and retired from active service on July 15, 1902, after having distinguished himself during the Philippine insurrection. *Ibid.*, I, 1023.

General Wheaton had been a soldier in the regular army for years, an officer in the Civil War and a veteran who had seen great and distinguished service, who had been honored by his Country and awarded a medal by Congress. He, by the way, had been the first man to enter captured Vicksburg in the secession struggle. We had known General Wheaton when back in Mobile, and to know him was to know him to be a great and gallant soldier. A man every inch a soldier. He expected every officer under him to do his duty without having to be told it. The officers at least of the whole regiment were well pleased to be under General Wheaton's command, and there was cause for much self congratulation that we had been assigned to his Brigade.

The men felt gratified that they were brigaded with the 1st Texas commanded by Colonel Mabry.⁷⁰ That genial and popular officer had made himself well liked by our officers as well as by others that surrounded him. The intimacies that sprung up between the men of the two regiments were surprising, and it became a well recognized fact in the whole army corps, that when you struck a Louisianian you struck a Texan, and vice versa, and it was well said by an enlisted man that only the Sabine River flowed between and that was easy to jump. The men became almost inseparable in the two regiments and would not even engage in friendly rivalry at base-ball or foot-ball.

The other regiment brigaded with us, the 3rd Nebraska, commanded by Colonel William Jennings Bryan,⁷¹ late candidate for President of the United States was scarcely well thought of by the two other commands. It had a reputation in the common slang parlance of our regiment to be "An aggregation of slobs" and it seemed so. They had a horrible camp. Their officers and men seemed to have received no military instruction and nothing seemed to run smoothly. There seemed to be friction everywhere. The Colonel admitted that he knew nothing about the management of a regiment, the Lieutenant Colonel and senior Major were handicapped by the superior authority and the whole regiment was a show. Their dress parades were even better than a circus. It is needless to say that after Colonel Bryan's resignation a notable change came over the spirit of the dreams of the 3rd Nebraska. The Lieutenant Colonel and senior Major took them in hand and they made a pretty good regiment out of them.

⁷⁰ Woodford H. Mabry was colonel of the 1st Texas Infantry. *Ibid.*, II, 237.

⁷¹ History confirms Colonel Wood's estimate of Bryan's lack of ability in military matters.

Thereafter they acquired the reputation of having the finest camp in the 7th Army Corps, and somehow the Louisianians did not envy them that reputation, because they had always held that honor before and they charitably thought that the Nebraskans needed something to redeem them.

Not long after the rebrigading and reorganization of the Corps orders were received to move to Savannah preparatory to a general movement of the troops to Cuba. We had been promised a sight of Cuba so many times and it seemed as though the promised land was about to be reached. We reached Savannah, were given a beautiful camp site, with all sanitary conditions excellent and good water, but there we staid for two whole months.

The first day we got into Savannah, Sunday, October 22nd, 1898, a crisp white frost was seen everywhere, and from then on until the 24th of December, the day we left, the men were continually exposed to the intensest suffering from the cold. A tent affords but little shelter and is not proof against cold or drafts, and it was with the greatest solicitude that I saw the stay in Savannah prolonged into the month of December. There were days when we rose in the early morning to find our tents wetted by a rain and frozen stiff with ice, and the cords covered with ice so that the tent cords would have to be cleared of the ice before the tents could be untied. This solicitude changed into something like apprehension when I learned that spinal meningitis due to exposure was quite prevalent in one of the Illinois regiments, and I became fearful lest something of the kind should break out among our boys. Fortunately no such calamity occurred. Our general health conditions were very good and though the regiment had been decimated by discharges in great numbers, we had a fine command, and received compliments every time we appeared in public.

In the early part of December we were ordered to make preparations for Cuba and every arrangement that was required under those orders was complied with, but it was not until the 24th day of the month that the regiment embarked on the United States Transport "Mobile", and entered into the harbor of Havana on the early morning of the 27th.

The entrance of the Louisiana troops into the harbor of Havana was calculated to inspire any spectator no matter what

his conditions in life might have been, for as in the cool of the morning, the sun just arising, and the great Government Transport passed the formidable looking fortresses that guarded the narrow straight of its entrance, on the smooth surface of the large bay within could be seen other Transports rapidly loading with the grey uniforms of the departing Spanish soldiers. Four Centuries had Spain held sway over the land and waters of this Pearl of the Antilles; just four centuries since she had colonized it with her own people and yet she suffered the fate of all other European Monarchies have and must inevitably suffer. Her colonial possessions in the American world must go.

Just as the Transport "Mobile" came opposite Morro, inward bound, playing the inspiring notes of "Dixie", a French vessel used as a Spanish Transport, passed us, crowded to its utmost capacity with the departing soldiers of the conquered nation and as they caught the inspiration from the Southern National Hymn, they gave a loud "Viva" of greeting to the American boys in blue, who answered them with a hearty echo and uncovered their heads and the band played the "Star Spangled Banner". We passed them in silence and gave them a waving adieu. The courtesies exchanged were almost affecting to those who knew the circumstances and could reflect. It seemed a touching tribute to American valor and to American arms by a conquered people. They bore no animosity. They had no hatred, and their welcome was just as hearty as though they had been the victors in the strife.

Hardly had the Spaniards passed us by, when the boys caught sight of the wreck of the "Maine", and with unanimous accord they uncovered their heads to the memories of the lost sailors there, and the band played the National Hymn again.

After coming to anchor I immediately took a tug and went ashore and reported to General Humphreys⁷² of the Quartermaster's Department. He seemed surprised that we should have arrived, and informed us that he would attend to the disem-

⁷² Charles Frederic Humphrey was born in New York, entered the army as a private during the Civil War and remained in the service after the close of that war; became second lieutenant of the 5th Artillery on May 8, 1866, and was promoted to first lieutenant on May 21, 1868; promoted to captain and assistant quartermaster on June 23, 1879, and was promoted to major and quartermaster on December 11, 1892; became lieutenant-colonel and deputy quartermaster-general on October 15, 1897; was assigned as quartermaster, with the rank of colonel, July 7-September 20, 1898; made brigadier-general of volunteers on September 21, 1898, and was honorably discharged from the volunteer service on June 12, 1899; became colonel and assistant quartermaster-general on October 21, 1901, and was promoted to brigadier general and quartermaster-general on April 12, 1903. Heitman, I, 554.

barking of the troops as soon as possible. Under orders received from the Quartermaster's Department, the "Mobile" came inside of the San Jose wharf, but we were given instructions by the Quartermaster's Department that the troops would be kept on board of the transport and not be unloaded for the present. These instructions were carried out and we remained on board the Transport all that night in the filthy harbor of Havana.

The following morning early, the horses were taken off and with my Adjutant, I immediately rode out to the camp site and reported my arrival to General Lee. He ordered the immediate disembarkation of the troops and the marching out to the Camp without delay. I returned to the Transport to carry out these orders. We slept that night in Camp, some of the men under shelter tents and others under such tents as had been brought for our use and could be hauled.

The site for our encampment was selected on the declivity of a hill overlooking the Gulf of Mexico, on the northwestern coast of Cuba about seven miles west of the City of Havana. No more beautiful site could possibly have been found for the pitching of a camp. On this hill immediately adjoining our lines had once been a Spanish Fort, and rifle pits had been blasted out of the rock everywhere. The ground was good though rocky but the loose stones were very quickly gathered up by the men, and it was made subsequently a matter of punishment for offenses to work on the rock pile.

We found the climate exceedingly pleasant and salubrious. The nights were cool two blankets being most of the time very comfortable. The sun of the middle of the day warm and even hot but it was one of these even temperatures that admitted of no extremes at that season and was best for securing the best possible results from soldiers.

At first the water supply was entirely inadequate to the needs of the encampment. The magnificent body of Army Engineers who had been sent months ahead to complete great and glorious works for the accommodation of the American troops, had built one insecure wharf at Playa de Marianao, which was never used and which the first storm destroyed entirely. Apologies were made for them that they had had on hand an extensive amount of work that prevented them from looking

after the immediate needs of the soldiers. Of course these apologies had to be respectfully accepted in defense of the Engineer Corps, but after they had constructed a water tank which the first day it was filled, fell to the ground nearly killing a whole company, we questioned the absolute competency of that body and threw the mantle of charity over their numerous sins. After a month or so of continual complaining and the filing of many kicks, we were furnished with water pipes in our camps and even with the luxuries of shower baths. The water supplied us was of the most excellent character. We have never had better water since we have been in the service. It came direct from the Vento Springs, as clear as crystal and as pure as spring water can be.

As usual our surgeons immediately reported upon the conditions surrounding and very very favorably. We had no complaints to find. The country was beautiful. The climate pleasant. The surroundings in every respect picturesque in the extreme and novel above all. Thrown too in the midst of a people whom some of us had never seen and whose doings and habits and customs were to us very peculiar, there was much to keep the minds of both officers and men in becoming acquainted with their new surroundings.

It was not long before the regiments spread everywhere. They took in every available portion of the province of Havana. They were given as much liberty as was consistent with duty and they saw all the novelties that that section of the Island contained. The military duties were light, parades frequent. All the time we lived in Havana the men were contented and even pleased. On one side of us was the 3rd Nebraska and on the other side was the 1st Texas. We had friends in both regiments. The brigade had become almost a consolidated unit in sympathy and in good feeling.

I must register here however that on the 3rd of January General Lloyd Wheaton commanding this Brigade received orders to report immediately to Fort Leavenworth from there to proceed to Manila. He left very suddenly. It is impossible to express fully the regrets we all experienced at losing General Wheaton. No commanding officer had won quite so well the affection of those who were immediately under him, or given in every way such general cause for satisfaction, to all with

whom he had any connection. Stern and strict from a disciplinarian standpoint, he was admitted to be every inch a soldier, to do justice and true to the principles and to the uniform that he wore. We felt his loss accordingly and he seemed to be much affected at parting from our Commands. He said to me many kind things about the regiment, among others he recited that among all the volunteer regiments he had ever seen, the 2nd regiment of Louisiana Volunteers was less a regiment of Volunteers and more a regiment of Regulars, than any he had ever been connected with.

At the same time Colonel Mabry of the 1st Texas was stricken ill with spinal meningitis and on his death bed. He died the following day, January 4th and the command of the Brigade devolved upon me as senior officer. In taking charge of the Brigade I detailed Captain Favrot,⁷³ the Regimental Adjutant to do the Adjutant's work of the Brigade office, while Lieutenant Colonel Dufour⁷⁴ commanded the regiment with Lieutenant Christy⁷⁵ as his Adjutant. From then until the 18th of March, when I was ordered back to my own regiment to proceed to Savannah, Georgia, to be mustered out, I retained command of the 1st Brigade, 1st Division 7th Army Corps, which included my own regiment, and I never experienced any more pleasant or agreeable surroundings, never received so many favorable and polite criticisms from superiors as well as inferiors and never had so little fault to find as in that capacity.

The health of the regiment in Cuba was exceptionally good. It is true that we lost three men there. Two of them died from the effects of excessive drink, the third was killed. His murderer was tried by general Court Martial and his sentence is now in the hands of the President for approval or disapproval. During the whole time of our stay in Cuba we did not have a single case of severe illness to record and only one case of Yellow Fever was reported in the regiment.

During the month of February the 1st battalion of this regiment under Captain Karl Fredericks⁷⁶ was sent out for a six days march in the western part of the Province of Havana, which

⁷³ Henry L. Favrot. See footnote 29, above.

⁷⁴ William C. Dufour. See footnote 16, above.

⁷⁵ Arthur H. Christy was a clerk in the Hibernia National Bank, 121 Camp Street. *N. O. Directory*, 1898, pp. 193, 1024; Heitman, II, 199.

⁷⁶ Carl C. Friedrichs was a student of F. McGloin, 708 Union Street, New Orleans, and a captain in the 7th Battalion of the Louisiana National Guard. *N. O. Directory*, 1898, pp. 326, 1025; Heitman, II, 212; Kendall, *History of New Orleans*, II, 852-853.

they executed with great credit to themselves and to the regiment, bringing back every man safe and sound and with no casualties. While in Guinness they were reviewed by General Lee who had gone there on a visit. One of the notable events of our stay on the island was marked by the inspection by Inspector General Breckinridge⁷⁷ who came down for that purpose. Another was the review of the troops by Major General Brooke⁷⁸ commanding the Division of Cuba.

I have reserved for the last, a recital of the events attending our entry into the City of Havana. It was omitted from the chronological order because it marks an epoch in the history of the regiment. For months the officers and men of this regiment had been calculating upon the ways and means by which they might work to be the first regiment, officially, to enter Havana. Many schemes were discussed but none seemed available. All hope of its consummation seemed lost when the 2nd Division was ordered away and all of its regiments admitted into Cuba before ours was sent. General Keifer⁷⁹ commanding the 1st Division to which we belonged was the senior officer of the corps, and when it was decided to make the entry into the City of Havana with the full Corps it was perfectly plain that General Keifer could and would occupy the right of the line. Colonel Mabry's illness had made it possible then, that we, as the senior regiment, should occupy the right of our line. We feared to say anything to General Wheaton on the subject for with his strict military ideas he would have considered it improper, but we rather thought that General Wheaton would take good care of our regiment under any circumstances. In this we were not disappointed and on the day of the review, he

⁷⁷ Joseph Cabell Breckinridge was born in Maryland and entered the army as a first lieutenant and aide-de-camp in 1861; remained in the army after the close of the Civil War, and was promoted to captain on June 17, 1874; became major and acting inspector-general on January 19, 1881; lieutenant-colonel and inspector-general on February 5, 1885; colonel and inspector-general on September 22, 1885; brigadier-general and inspector-general on June 30, 1889; major general of volunteers on May 4, 1898; honorably discharged from volunteer service on November 30, 1898; became a major-general of the United States army on April 11, 1903; and was retired from active service on April 12, 1903. Heitman, I, 242.

⁷⁸ John Rutter Brooke was born in Pennsylvania; entered military service as captain of the 4th Pennsylvania Infantry on April 20, 1861, and was honorably mustered out on July 26, 1861; became colonel of the 53rd Pennsylvania Infantry on November 7, 1861; promoted to brigadier-general of volunteers on May 12, 1864; brevetted major-general of volunteers on August 1, 1864; resigned on February 1, 1866; appointed lieutenant-colonel of the 37th Infantry on July 28, 1866; transferred to the 3rd Infantry on March 15, 1869; became colonel of the 13th Infantry on March 20, 1879; transferred to the 3rd Infantry on June 14, 1879; promoted to brigadier-general on April 6, 1888, and to major-general on May 22, 1897; retired on July 21, 1902. *Ibid.*, I, 248.

⁷⁹ Joseph Warren Keifer was born in Ohio and entered military service as major of the 3rd Ohio Volunteer Infantry on April 27, 1861; rose to the rank of major-general of volunteers on April 9, 1865, and was honorably mustered out of service on June 12, 1865; reentered the service as major-general of volunteers on June 9, 1898, and was honorably discharged from the service on May 12, 1899. *Ibid.*, I, 587.

rode up to me and saluting, said: "Colonel, your regiment will take the right of the line Sir; it is an honor Sir, that I hope you will appreciate". I told him that I certainly did appreciate it; appreciated it to the fullest extent. It was then that he told me that he had been the first to enter the captured City of Vicksburg and he felt then how much of an honor it was to enter a captured city.

We did not fail to march at the head of that line and the flags flew very proudly as though they knew that they were at the head of the line too. The entry into Havana and the official taking possession by the American troops, marked an era in the history of America and of Cuba that will probably change the tide of events. A new civilization dawned on the island that day. New Commercial enterprise. New Relations. New progress and new and distinct national influence pervaded every fiber of the body politic. The city was ready to receive the whole Corps. Cuban sentiment was rampant. Latin enthusiasm was aroused to its highest pitch. Bunting everywhere. Red, white and blue predominant. The American flag first the Cuban flag occupying its secondary place. From the Camp grounds to Vedado was an uneventful route but through Vedado, through the great throngs that lined the sidewalks and streets, passing the house of the Cuban Commission which we were the only regiment who did them the honor to present arms, and it was a compliment they noticed, and there, along with the high dignitaries of the realm, standing on the front porch, we saw our old Surgeon John Archinard, grinning and showing his teeth, the happiest man of them all.

From Vedado into the City of Havana, the scene is not describable. We were met by men, women and children on either side of the streets, from the balconies of the houses, flowers were strewn in our path and men, women and children knelt in the roadway to pray for the preservation and shower blessings upon the heads of the liberators that were marching in. Every act showed their respect and admiration for the uniform that had freed the people from the tyrant's rule. Every blessing that could be showered was showered upon the heads of our soldier boys. They got the full benefit of that first burst of enthusiasm which died as it went down the line. We marched at the head of them all. It was a most affecting scene. Nothing like it had we ever seen before. A long suffering people broke forth in its wildest

ecstasies of joy. No less enthusiastic were the visitors who happened to be in Havana then. They entered into the spirit of the whole and strange to say we wondered where the Spanish sympathy was among the residents of that island. It is a notable fact that we did not see a Spaniard there, and if there was one there, he did not care to admit it. The whole route up to the Prado was marked by just such scenes, and there the head of the column was met by General Lee.

After forming in that great street, within full view of the Morro Tower, we witnessed the raising of the American flag and the lowering of the Spanish colors. It is needless to say that the Louisiana boys joined in the general shout that went up at the consummation of this great event. It is needless to say that they shared in all the glory to American arms and American skill that this ceremony emblemized. Other ceremonies being concluded, we marched at the head of a grand review, at the same springing precise step, that marked the excellence of the Louisiana boys from Jacksonville to the end.

We had always had the reputation of doing well and we did our best on that occasion. General Lee who was standing beside General Brooke when the column moved on, invited his attention in such words as these: "General, here come the Louisiana Tigers. You have met them before I believe". It seems that General Brooke had met them before 30 years ago and he remembered it well, because it seems he did not stay long to look at them in the eyes. Somebody said so. It was not because he did not want to. He just could not help it.

The ceremonies over we marched into camp again fully satisfied that we had occupied the most prominent part in the line and taken the most prominent part in the ceremonies of the day.

On the 16th of March the regiment received orders to embark on the Ward Line Steamer "Havana" to proceed to Savannah, Georgia, to be mustered out. On the 20th of the month the whole regiment embarked on the vessel and on the 22nd reached Fort Pulaski at the mouth of the Savannah River, where they were detained two days in Quarantine. After fumigation of baggage and blankets the men proceeded to Savannah and went into Camp near their former camp site and proceeded to the labors of the muster out of the regiment. The records were found to

be in very good shape and rather complete and the labors were not so onerous as marked those of many other regiments in the service.

From the day we went into the service of the United States on the 26th day of May 1898, until the day of muster out, I have to record and report the following changes in the officership of the regiment:

1st Lieutenant Smith,⁸⁰ Co. "I" resigned and his resignation accepted to date from the 27th of June. His place was filled by the election and commission of Sergeant Major Samuel McC. Herndon.

On July 19th, 1st Lieutenant John D. Nelson died of typhoid fever and the vacancy caused by his death was filled by competitive examination supervised by Major Hughes, and Sergeant A. J. Boissoneau⁸¹ was promoted and commissioned to the position.

On July 25th, Captain Louis Lamotte⁸² and 2nd Lieutenant Buckholz⁸³ resigned and their resignations were accepted. These vacancies were filled by the election of Captain R. G. Guerard⁸⁴ for the Captaincy and Sergeant George Blardone⁸⁵ was promoted to the 2nd Lieutenantcy after passing a competitive examination.

Major Archinard was promoted a Brigade Surgeon on August 24th by President William McKinley, and his place was filled by the promotion of Captain Frank Chalaron, and the vacancy in the assistant surgeons ship was tendered to Allen Jumel, Jr., and his commission issued.

On September 9th, Lieutenant Charles C. Baldwin⁸⁶ Company "L" tendered his resignation which was accepted and the vacancy filled by the promotion of Lieutenant A. H. Christy⁸⁷ and

⁸⁰ This officer is listed as "E. F. Smith" in the *N. O. Directory* for 1898, page 1025, but as "Edward T. Smith" in Heitman, II, 257. The latter is doubtless his correct name. There were two men by that name residing in New Orleans: One, occupation not given, lived at 923 Magazine Street; the other, a grocer, 2238 Cadiz Street. *N. O. Directory*, 1898, p. 759.

⁸¹ Andrew J. Boissoneau was a clerk residing at 1449 Arabella Street, New Orleans. *Ibid.*, 129; Heitman, II, 192.

⁸² Name should be spelled "Lamothe." See footnote 49, above.

⁸³ Louis Bucholtz. Heitman, II, 195. Louis Bucholtz and Louis Bucholtz, Jr., are both listed as tailors, residing at 2221 Customhouse Street, New Orleans. The latter is probably the man referred to here. No such officer appears in the roster of the Louisiana National Guard. *N. O. Directory*, 1898, pp. 157, 1024-1025.

⁸⁴ Robert G. Guerard was proprietor of the Hope Warehouse at 531 South Peters Street, New Orleans. *Ibid.*, 366; Heitman, II, 217.

⁸⁵ George Blardone was superintendent of Mente & Co., New Orleans bag manufacturers. *N. O. Directory*, 1898, pp. 124, 569; Heitman, II, 192.

⁸⁶ Charles C. Baldwin was a clerk in the firm of A. Baldwin & Co., large wholesale and retail merchants, 114-130 Camp Street, New Orleans. *N. O. Directory*, 1898, p. 90, 1024; Heitman, II, 188.

⁸⁷ See footnote 75, above.

the vacancy caused by his promotion was filled by the promotion of Sergeant George B. Stockman.⁸⁸

On September 30 Lieutenant A. J. Libano⁸⁹ tendered his resignation which was that day accepted, and the vacancy caused thereby was filled by competitive examination, and First Sergeant Richard F. Bond⁹⁰ was appointed and commissioned 1st Lieutenant in his stead.

On October 1st Captain Walter H. Hoffman⁹¹ and Captain Louis A. Livaudais⁹² of Company "D" resigned and their resignations accepted, and their respective vacancies were filled by A. J. Boissoneau⁹³ to be Captain of Company "K" and Lieutenant P. M. Lamberton⁹⁴ to be Captain of Company "D". The promotion of Lieutenant Lamberton left a vacancy in Company "D" which was filled by the promotion of Lieutenant Fortin.⁹⁵ The vacancy caused by the promotion of Lieutenant Fortin was filled by competitive examination resulting in the choice for 1st Sergeant Miles R. Duffy⁹⁶ for that position.

On October 2nd, Lieutenant Charles Cooley⁹⁷ of Company "I" had his

[Page 31 of the manuscript is missing at this point.] officer to a foreign country, for so short a term of service, this vacancy remained unfilled.

On December 5th, the resignation of Lieutenant John E. Poncet⁹⁸ was accepted and this last of all the vacancies in the

⁸⁸ George D. Stockman was a clerk for Stauffer, Eshleman & Co., importers and wholesalers of hardware, implements, etc., 511 Canal Street. His middle initial is "D" and not "B". *N. O. Directory*, 1898, pp. 774, 780; Heitman, II, 260.

⁸⁹ Andrew J. Libano was a salesman for Trepagnier & Bres, 517 Magazine Street, commission merchants and jobbers in western produce. *N. O. Directory*, 1898, pp. 510, 810; Heitman, II, 232.

⁹⁰ Richard T. Bond was an engineer residing at 2844 Baronne Street, New Orleans. His middle initial is "T" and not "F". *N. O. Directory*, 1898, pp. 130, 1024; Heitman, II, 192.

⁹¹ Walter H. Hoffman was secretary of the Board of State Engineers, with offices at 225 Carondelet Street. *N. O. Directory*, 1898, pp. 407, 1024. Heitman, II, 222, lists him as Wade H. Hoffman.

⁹² Louis A. Livaudais was a member of the architectural firm of Favrot & Livaudais, Room 15, 215 Carondelet Street. His partner was Charles A. Favrot. *N. O. Directory*, 1898, pp. 297, 513, 1025; Heitman, II, 232.

⁹³ Andrew J. Boissoneau. See footnote 81, above.

⁹⁴ Placide M. Lamberton was a clerk in the auditor's department of the Southern Pacific Railroad, 511 Natchez Street, New Orleans. *N. O. Directory*, 1898, pp. 484, 1025; Heitman, II, 230.

⁹⁵ Louis Fortin was a draftsman for Favrot & Livaudais, architects, 219 Carondelet Street. *N. O. Directory*, 1898, pp. 317, 1025; Heitman, II, 212.

⁹⁶ There is a Myles Duffy listed as a clerk, residing at 1517 Polymnia Street, New Orleans; no other man by that name is listed in the directory. *N. O. Directory*, 1898, p. 269. Heitman, II, 207, lists the name as given by Colonel Wood, with the middle initial "R".

⁹⁷ The only Charles Cooley listed in the directory was a laborer, boarding at 1659 Religious Street, New Orleans. *N. O. Directory*, 1898, pp. 212, 1025; Heitman II, 202, gives the name merely as Charles Cooley.

⁹⁸ John E. Poncet is not listed in the *N. O. Directory* for 1898, except as an officer in the Louisiana National Guard (p. 1024). He is listed by Heitman, II, 247.

regiment was filled by the promotion of 2nd Lieutenant Blardone⁹⁹ to be 1st Lieutenant and Sergeant Major E. L. Montgomery¹⁰⁰ to the 2nd Lieutenancy of Company "M".

I beg to report too, change in rank of two officers on my staff notably Captain Henry L. Favrot and Captain Charles P. Madison. Both of these officers entered the service as 1st Lieutenants but on ascertaining that they were entitled to commissions as Captains since they had held that rank in the Militia, it gave me the greatest pleasure to recommend to your Excellency that their commissions issue, and they were mustered in to these respective titles as of date the previous enlistment.

The changes in the number of enlisted men are varied and peculiar. The regiment left New Orleans with a strength of 957 men, and gained 198 recruits during the year of service making a total of 1155 men that formed the maximum strength of the regiment. The losses were accounted for as follows:

128 men discharged from the War Department which are called commonly political discharges.

120 were discharged on disability certificates.

49 were accounted for as deserters although 10 of these were recaptured and punished in a measure for the offense.

24 were transferred to other commands.

14 died from disease and 1 was killed.

13 were dishonorably discharged on convictions of a general Court Martial and three were discharged by civil authorities on writs of Habeas Corpus, as being under age.

In other words a total loss of 353 men leaving the strength of the regiment 802 enlisted men which were mustered out in Savannah, Georgia.

It gives me pleasure to report specifically upon the general good behavior of the officers and men composing this regiment. The officers of this regiment have shown themselves generally competent the exceptions to the case only proving the general rule, and these exceptions provoked such slight reprimands as only to make them not worth mentioning. Not an officer has ever

⁹⁹ George Blardone. See footnote 85, above.

¹⁰⁰ Emmett L. Montgomery was a clerk in the auditor's department of the Queen & Crescent Railroad, 833 Gravier Street, New Orleans. *N. O. Directory*, 1898, p. 589; *Heitman*, II, 240.

been Court martialled for any cause. Among the men I have met with uniform courtesy and consideration, giving them opportunity to make, at any and all times, whatever complaints they had and never refusing to listen to a just and proper one. In the gathering together of nearly 1200 men it was natural that we should have gotten some undesirable characters. Among those discharged on disability certificates were many without honor for chronic alcoholism, but for every such discharge placed a line of credit on the right side of the good soldier and helped to emphasize his share in the deserved good name that the regiment had acquired.

I would register too the perfect good feeling that existed between the officers of the regiment and the uniformity of action on all important issues. There was not a time when I did not feel assured of the cordial support of every one of them. The men have been, obedient, respectful, courteous, polite and ready to obey the call of duty. Sometimes home-sick it is true, and often unable to appreciate the conditions which made this a bloodless war, chafing during the periods of inaction after a long stay in any one camp, but these were natural human conditions and this was no exception in the volunteer service.

It is not an easy task to control and manage successfully a volunteer regiment. It is said that they never will acquire the degree of efficiency that marks the Regular Army. That may be true in point of general discipline but in drill I have seen volunteer regiments, and mine must be registered in that list, that can drill better and march better and present a general better appearance, than any regular infantry I have ever seen. This is but a just tribute to the work the boys have done in the past year. The complaints were few. It were perhaps best to register none. They were trivial and to be met with in any branch of a service like this.

Through the whole service from Mobile until the last days in Savannah, the men were well and bountifully fed. The Commissary Department of the Army, so far as this regiment is concerned, deserves the highest praise and greatest consideration. Of all the officers we met none but gentlemen and we felt that we were speaking to men of our own calibre, and we have never had the slightest trouble in obtaining that for which we asked, without reason.

All of our relations with the officers of the Regular Army were pleasant, cordial and friendly. Always ready at all times, to give us the benefit of their ideas and suggestions. We took advantage of it and learned our lesson primarily in such a way that we framed our actions in accordance and facilitated our labors in the latter days of our service.

It is but just to say that the peculiar relations existing between the officers and men in the Volunteer service, make the tenure of commissions by no means the easiest task in the world. An officer in the regular army is able to maintain that degree of absolute superiority over all the men in his command, that prevents approach or even a suggestion of the remotest equality. In the regular forces it is well known that no officer can ever demean himself properly by any association with enlisted men.

This regiment, composed as it was, of a large number of young men from the best and most aristocratic families in New Orleans, and moving there in the highest social circle, to be brought to the inferior station that a private, or even a corporal or sergeant properly belongs, was to their sense of education and to their sense of social equality perhaps, the gravest injustice. The peculiar injustice while not contemplated by any of the regulations that governed the army, was nevertheless felt and felt keenly, on more than one occasion. The task my officers and myself had before us was to avoid conflict resulting from these causes, was no small matter. The task was to assimilate the elements of social inequality that found themselves side by side in the ranks and in numerous instances occupying the same quarters, was just as difficult and just as onerous. I trust that in this respect there have been no grave enmities and no radical differences brought up between the officers and men but it seemed a peculiar anomaly to observe at daily inspections the prince at home and the camp scullion.

The written and the unwritten law that prevented association between officers and men and that prevented the making of any differences between men, subjected many of our best soldiers to unfortunate hardships and unfortunate labors; hardships and labors that were both distasteful and perhaps, in a sense, degrading, altho', through the whole, no complaints have been made. I have seen the son of a supreme justice and the son of a wealthy Esplanade Street resident carrying wood and

chopping it, digging and cleaning latrines, and they felt, as did all the sensible ones, who came into the service, that it was one of the unfortunate parts of a soldier's requirements. Others, whose sense of appreciation, were not so well developed made complaints, but in almost every instance where a complaint came, it was found to come from some unfortunate who had never been able to make a living before he entered the army. I consider it well to register this in the sense of an official report as a matter of justice to a number of the best born and bred young men from New Orleans that were in my ranks. I feel that they should receive it as a matter of praise, and that that praise should bear an official stamp in recognition of their patience, their endurance and their kind consideration.

It has been said and published that there were antagonisms between the officers and enlisted men of the regiment. Officially I never knew of them. There have been little differences and I have always found means to settle them without much trouble. There have been publications and there have come to me suggestions that conditions not quite pleasant existed. The publications, I ascertained, came through the reports of those who were socialistic and anarchistic in their tendencies from the day of enlistment to the day of muster out and who have been constant agitators and mischief makers. Of this species of the human beast there were several in my regiment who do not deserve the pointed notice of mention by name, but for whom, any man, whether he be private or wearing the colonel's straps, had the utmost contempt, and there were instances too, where such men came for punishment, receiving justice in fines or labor, yet using that punishment in the sense that it was simply the outward expression of prejudice against the individual.

As in communities the breath of slander is quick to spread, so it is in the army. A regiment is a community in itself, and one might hear anything, if disinterested, by simply walking through the company streets. I have paid but little attention to these mouthings and gave but little credit to the many reports that have been circulated. In the whole of my personal observation I do not know that a single case of injustice has been dealt, and I do know that several have never received the full meet of justice that was really due to them.

**MEMBERS OF 2D. LA. VOL. INFY.
WHO DIED IN SERVICE MAY 2, 1898 TO APR 18, 1899.***

Name	Company	Died	Buried
At New Orleans, La.			
1 Sergt. John Cahill,	C	May 1898	New Orleans, La.
2 Capt. Elmore G. Dufour,	I	Nov 12/1898	" " "
At Miami, Fla.			
3 Mus. A.L. Mugnier,	H	Jul 18/1898	St. Augustine, Fla. Gr. 18 Sec. 6
4 Lieut. Jno. D. Nelson,	K	" 19/1898	" " " 17 " 6
5 Pvt. E.B. Wood,	E	" 23/1898	New Orleans, La.
6 " B. Muldoon,	H	Aug 4/1898	St. Augustine, Fla. Gr. 5 Sec. 8
7 " E.J. Lassere,	M	" 7/1898	" " " 22 " 6
8 " J. Davis,	C	" 15/1898	" " " 20 " 4
At Jacksonville, Fla.			
9 Corpl. A.W. Parker,	H	Aug 14/1898	Jacksonville, Fla.
10 Pvt. A. Lasch,	H	Sep 13/1898	New Orleans, La.
11 " J.D. Seidler,	D	Oct 12/1898	" " "
12 Lieut. S.B. McClure,	K	" 17/1898	" " "
At Pablo Beach, Fla.			
13 Pvt. E.O. Burrows,	H	Sep 8/1898	Akron, Ohio
At Camp Columbia, Cuba.			
14 Pvt. J.D. Hughes,	E	Jan 7/1899	Marianoa, Cuba.
15 " L.T. Grelle,	K	Feb 19/1899	National Cemetery, N.O., La.
16 " Julius Keller,	G	" 24/1899	Marianoa, Cuba.
17 " A. Quint,	M	" 25/1899	" "
At Savannah, Ga.			
18 Pvt. W.G. Waterman,	E	Mch 28/1899	Hammond, La.
19 Corpl. Louis Sharp,	C	Apr 16/1899	Mandeville, La.

Name	Rank, Etc.	Died	Grave No.	Section No.
James Scott	Pvt. M 1st La. Inf.	June 26/98	32	2
James M. Wainwright	" F " " "	Aug 22/98	23	3
John F. Horton	" E " Ala. "	" 28/98	16	4
Charles Schut	" K " " "	" 18/98	17	4
Herman Brede	" M " " "	July 12/98	18	4
O.S. Villarnoba	Art K " La. "	" 9/98	19	4
Joshua Davis	Pvt C 2nd " "	Aug 15/98	20	4
John D. Nelson	Lt. " " " "	July 19/98	17	6
Armand Mugnier	Mus. H " " "	" 18/98	18	6
Joseph T. Kirby	Pvt D " Tex "	" 13/98	19	6
Lemuel P. Simmons	" A " Ala. "	Aug 14/98	20	6
Charles W. Herring	" F " Tex "	" 11/98	21	6
Ernest J. Lasserre	" M " La. "	" 7/98	22	6
Bernard Muldoon	" H " " "	" 4/98	5	8
Wiltz M. Kirk	" B 1st " " "	" 18/98	6	8
James M. Stewart	" A " Ala. "	" 23/98	7	8
John McNally	Act. Ensign U.S. Navy, date of death not shown.		8	8

List of remains removed from the City Cemetery at Miami, Fla., and re-interred in the National Cemetery at St. Augustine, Fla., during February 1908; all graves appropriately marked with private and government headstone, and will be perpetually cared for by the United States.

* These lists were found among Colonel Wood's papers by his grandson, Edward G. Ludtke, Jr., to whom the editor is indebted for permission to publish them. Colonel Wood prepared this list about 1908.

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**INDEX TO THE SPANISH JUDICIAL RECORDS OF
LOUISIANA
LXXVII.**

February, 1785.

(Continued from January, 1943, Quarterly)

By LAURA L. PORTEOUS
(With Marginal Notes by Walter Prichard)

Spanish officials appearing in this installment:

Esteban Miró, Colonel of the Fixed Regiment of Infantry of this Place, and Governor of the Province of Louisiana.

Martin Navarro, Intendant General of the Province of Louisiana.

Juan Doroteo del Postigo y Balderrama, Assessor General and Auditor of War.

Nicolas Forstall, Regidor Perpetuo and Senior Alcalde Ordinario of New Orleans.

Escribanos (Clerks of the Court): Rafael Perdomo; Fernando Rodriguez; Pedro Pedesclaux (1802).

Leonardo Mazange, Sindico Procurador General (Attorney General for the City Corporation of New Orleans).

Pedro Bertonière, Procurador Publico (Public Attorney).

Antonio Mendez, Attorney (1788).

Nicolas Fromentin, Deputy Sheriff.

Esteban de Quinoñes, Official Translator.

Juan Josef Duforest, Public Interpreter and Translator.

Luis Lioteau, Official Taxer of Costs of Court.

Dr. Josef Montegut, Surgeon of the Royal Hospital.

Francisco Sanchez, Warden of the Prison in New Orleans.

Louis Cesar Borne, Captain of Militia, Graduated Lieutenant of Infantry of the King's Army, and Commander, ad interim, of the Post of Natchitoches and its dependencies.

Public Appraisers: Adrian Joseph de la Place; Andres Wackernie.

Notaries Public: Fernando Rodriguez; Pedro Pedesclaux (1802).

February 1, 1785.

Proceedings brought by Carlos Vivant to be granted a permit to sell a brigantine, the San Francisco.

No. 143. 11 pp.

Court of Intendant
Martin Navarro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

This case illustrates the legal procedure involved in the sale of a vessel by its owner in Spanish colonial New Orleans. The action is brought in the Court of the Intendant, which had jurisdiction in all such commercial cases.

of the current month as the day for holding the public sale.

The Auction.

In the city of New Orleans, on February 12, 1785, the Escribano, in virtue of the commission conferred upon him by the foregoing decree, proceeded to sell at auction, the brigantine "San Francisco," in the presence of Carlos Vivant, by the voice of the Public Crier, who proclaimed the sale, saying: Who is willing to bid on this said ship, let him come forward and his offer will be received, because the brigantine must be sold by 12 o'clock today, to the person making the highest offer. At this stage Cristoval de Armas bid 1000 pesos for the vessel; Francisco Marrone (Mayronne) raised it to 2500 pesos, and this bid was also admitted and cried; then Francisco Hisnard offered 3200 pesos; Pedro Miraval advanced the price to 4000 pesos; Francisco Mayronne came back with an offer of 4035 pesos. At this point, the bell having sounded for 12 o'clock, the crier called: 4035 pesos is offered for this ship. Is there anyone willing to pay more, if so, let him come forward and his bid will be received, as this last is a good and valid offer? And as no one bid again, the Crier called for the first, second and third time, going, going, gone to the highest bidder; and with this the proceeding was concluded and the said Mayronne obligated himself to comply with the conditions as explained, and he signed. (Signed) Frco Mayronne; Charles Vivant; before Rafael Perdomo.

Francisco Mayronne prays to be put into possession of the brigantine.

Francisco Mayronne petitions, alleging that in the supposition that the brigantine has been adjudicated to him for 4035 pesos, may it please the Court to order

Carlos Bivan (Vivant) sets forth in a petition that he is the owner of a brigantine, named the "San Francisco," and that it is convenient to him to sell same, at public auction; therefore he prays for the necessary permit and to have the present Escribano authorized by commission conferred upon him to hold this sale, after the three public cries have been given for this purpose, in the customary way. Martin Navarro, on Juan del Postigo's advice, rules: As it is prayed.

The first, second and third calls are given on February 1st, 4th, and 7th, respectively, and on February 10th the petitioner prays to have the day and hour assigned for the auction. The Intendant, on the Assessor's advice, assigns the 12th

In the city of New Orleans, on February 12, 1785, the Escribano,

the act of sale drawn up before the present Escribano, and done, he will make real and physical exhibition of the stated sum so that a certified copy of the numeration may be filed with these proceedings, and also to direct Rafael Perdomo to proceed with the necessary legal formalities to put him in due possession of the ship. Martin Navarro, on Juan del Postigo's advice, rules: Let Mr. Mayronne exhibit the amount at which the ship was sold, and done, place him in possession of same.

Exhibition of the 4035 pesos.

In the city of New Orleans, on the said day, month and year (February 14, 1785), before the Escribano appeared Francisco Mayronne, a resident of this city, who exhibited the sum of 4035 pesos which was the purchase price of the brigantine adjudicated to him. Rafael Perdomo maintains this amount in his possession and will deliver it to Carlos Vivant, to all of which he attests. (Signed) Rafael Perdomo.

Proceedings for acceptance.

In the city of New Orleans, on the said day, month and year, at about 4 o'clock in the afternoon, the Escribano, in compliance with the foregoing decree, personally conducted Francisco Mayronne on board the San Francisco, which had belonged to Carlos Vivant and was sold at public auction before the said Escribano, and on reaching the ship the purchaser opened and closed the doors of the cabin and hatchways, went to the upper deck, cabin, between decks and hold, mounted and descended the ladders and went on the outside of the ship. All the abovesaid was executed by Mr. Mayronne in sign of true, real, actual, civil and usual taking possession of the brigantine, which he received; he was given quiet and peaceful ownership without contradiction from anyone, pursuant to the said decree that protects and does protect him so that he cannot be deprived of his property. Manuel Galvez, Francisco Carcasses and Manual Monrroy were present at the entire proceedings, which Rafael Perdomo attests.

Receipt.

On the same day, Carlos Vivant appeared before the Escribano, who delivered to him the 4035 pesos that Francisco Mayronne had exhibited, as may be noted from the proceedings for exhibition. This sum the said Mr. Vivant acknowledges to have received, and he draws up the corresponding receipt for same, which he signed, as attested by the Escribano. (Signed) Carlos Vivant, before Rafael Perdomo.

Carlos Vivant petitions the Court to interpose its judicial decree.

Carlos Vivant states that, in consequence of having held an auction sale of the San Francisco, under legal formalities, may it please the Court to approve this proceeding in all its parts, and for its greater validation and

force to interpose its authority and judicial decree. Martin Navarro, on Juan del Postigo's advice, decrees:

Decree.

In the city of New Orleans, on February 16, 1785, Martin Navarro, Intendant General of this Province, having examined the foregoing sale, said he must approve and does approve it in all its parts, interposing for its greater force and validation his authority and judicial decree, inasmuch as he can and must by law, for this is his decree, thus he has ordered, provided and signed. Fees 3 pesos. (Signed) Martin Navarro; Licenciado Postigo.

Francisco Mayronne petitions for a certified copy of these proceedings.

Francisco Mayronne petitions, saying that for ends convenient to him, may it please the Court to order the Escribano to provide him with a certified copy of the proceedings instituted by Carlos Vivant to be granted a permit to sell the "San Francisco," which was adjudicated to the petitioner, as the highest bidder, and he will promptly pay all just and due fees. Martin Navarro rules: Let this party be given the certified copy he requests, upon the payment of all due fees.

Marginal note.

A note specifies that the certified copy that was ordered has been issued this day on 15 sheets of paper. New Orleans, dated as above. (Signed) Perdomo.

February 3.

Proceedings brought by Leonardo Mazange, against Pedro Pizanie to foreclose a mortgage.

No. 92. 33 pp.

Court of Governor Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

This suit brought to collect a debt, secured by mortgage on a house and lot in New Orleans, illustrates certain phases of the legal procedure usual in such cases; but the procedure departs from the usual practice before the case is concluded. Under a power of attorney granted him by the creditor, an attorney sues for a writ of execution,

The first entry is a certified copy of a mortgage, reading in part: In the city of New Orleans, on April 29, 1783, before the undersigned Notary and witnesses, appeared Pedro Pizanie, known to the said Notary, and he declared that he obligated himself to pay to Leonardo Mazange the sum of 450 pesos, within one year that will begin to run and be counted from today, the day on which he has supplied the money, out of kindness and without premium, or interest. He acknowledges to have received this sum and renounces the exception of non numerata pecunia and grants a receipt and quittance in due form, and when the date of maturity will have arrived, if he has not made payment, he consents to have execution taken with this written document alone and a simple oath,

which is issued by the Court but not served until six months have elapsed. The mortgaged property is seized by the Deputy Sheriff and offered for sale at public auction, but no offers are made for it. The house and lot are then appraised by the Public Appraisers, at the instance of the plaintiff, but the valuation placed on the property is less than the principal of the debt. The matter drags along for two more years, with the property offered at public auction on three occasions, with no bidders appearing at either auction. When some three years have elapsed since the suit had been brought, the plaintiff petitions the Court to have the mortgaged property adjudicated to him at the appraised valuation. This is done, and all costs of the suit are to be paid by the defendant, who, throughout the entire proceeding has not appeared or offered any defense. The procedure differs from that usually employed in such cases, in that final execution is taken on the Notarial Act of Mortgage and not through executory process.

without other proofs, of which he relieves his creditor, and for the validity and fulfillment of this agreement he obligates and mortgages, with the promise not to alienate, a house he owns, located in this city, at the corner of Bienville and Delfina (Dauphine) streets, adjoined on one side by the real property belonging to the mulattress Delate and on the other by that of Mrs. Boisclair, which he agrees not to sell or dispose of until real and effective payment of the amount specified, and he inserts here the guaranty clause and renounces the laws in his favor and in general that prohibits it; thus he has executed and signed, the witnesses being Luis Lioteau. Pedro Bertoniere and Pedro Cowley, before Fernando Rodriguez, Notary Public.

The plaintiff petitions for a Writ of Execution.

On February 3, 1785, Leonardo Mazange petitions, saying that through his power of attorney, duly presented (filed later), it may be noted from the public instrument, here attached, that Pedro Pizani owes him 450 pesos at date of maturity, the same amount he supplied and lent without premium, or interest, and notwithstanding repeated requests he has been unable to obtain payment, therefore he prays, in virtue of the executory merits that result in his favor from the above document, to order a Writ of Execution issued against any and all of the defendant's property, sufficient to satisfy the debt, its one-tenth and costs, and he swears by God and a Sign of the Cross, in conformity to law, that the said sum is due and has never been paid. Governor Miro, on Assessor Postigo's advice, rules: The power of attorney having been presented, a decree will be rendered later.

The Decree.

In the city of New Orleans, on February 5, 1785, Esteban Miro, Colonel of the Fixed Regiment of this Place and Governor, ad interim, here, having examined the records, said that he must order and does order a Writ of Execution issued against the person and estate of Pedro Pizani, in favor of Leonardo Mezange, for 450 pesos, its one-tenth and costs, caused or to be caused, up to the real and effective payment, for this is his decree, thus he has provided, ordered and signed, to which the Escribano attests. Fees 2 pesos. (Signed) Esteban Miro; Licenciado Postigo.

Marginal note.

A marginal note stipulates that the Writ of Execution which was ordered has been issued and delivered to the party. (Signed) Perdomo.

General Power of Attorney.

The General Power of Attorney, executed before Rafael Perdomo, dated September 1, 1784, reads, in part: That Leonardo Mazange, Sindico Procurador General (Attorney General for the City Corporation) of this city, grants his full, ample and sufficient power of attorney, as required by law, to Pedro Bertonière, Procurador Publico, also of this city, so that in the grantor's name and representing the latter's own proper person, rights and actions, the former may demand, receive and collect judicially and extrajudicially, any sums of maravedis, gold, or silver pesos, jewels, slaves, merchandise, fruits of the earth, and other effects of any kind whatsoever, due him at present, or that may be due him in the future, by written documents, notes, accounts, inheritances, donations, clauses of wills, as may be by any other title or reason, although neither the amounts nor effects are specified, nor the persons indebted to him named. Mr. Bertonière is empowered to demand payment and audit accounts wherever they may be due, taking charge of them and granting just discharges, to name a third in discord to adjust and liquidate same, to settle whatever doubts and difficulties that might arise, granting stay proceedings, if convenient, for the balances due in the grantor's favor, and whatever else that may be necessary to collect, issue receipts, discharges in full, quittances, powers of attorney and lastes (receipt given to one who pays for another), with credit for delivery, or renunciation of the laws of this case, executing, in this particular, the necessary written documents, with all the clauses, ties and stability that may be required for its validation, which he now approves so as to comply with them as if he, the grantor, were present, and for all the latter's law suits, causes, civil, criminal, ordinary and executory proceedings, occasioned or that may be occasioned, with any person whomsoever, demanding and defending what he can by himself, to settle, adjust and compromise with arbitrators, judicial adjusters and amiable composers of differences, naming, in discord, with the necessary instruments, those that seem fitted for the purpose, and for all the abovesaid, he may appear before the Justices of His Majesty (Whom God Protect) as he must by law. Whenever it will be required, he may present written documents, witnesses, written proofs and other securities, drawing them in such a way that he may demand executions, imprisonments, embargoes, disembargoes, sales, legal seizure, on writs of execution, auction of property, and that may enable him to take possession and refuge, and the necessary terms for all classes of proof, receiverships, requisitions, writs and other despatches and censures, that he may have re-read, publish and intimate, when and to whom it may be

convenient, draw up certified copies of depositions and present them, and examine those presented, to swear in and be acquainted with the witnesses of his opponent and to place objections and complaints against them. He may credit the testimony of said witnesses and other persons, he may take oath and make recusations, hear sentences and interlocutory and definitive decrees, giving favorable consent to them, appeal from the prejudicial, petition for and prosecute the appeals and petitions, for whatever reason, or cause, as he can and must by law. And, finally, he may sue, act and institute any other judicial and extrajudicial proceeding that may be required, so that through no lack of power, clause, or special circumstance, that should be included here, not already mentioned, because for all that may be required, he confers sufficient authority, without limitations, with free and general administration, with faculty to bring suit in incidents and dependences, to swear and to substitute, revoke substitutions and name others, with remission in due form, and for the assurance that he will carry out all the abovesaid, he obligates his present and future property, with submission to the jurisdiction of the Justices of His Majesty and the guaranty clause, inserted here in due form for its fulfillment. In testimony whereof, this is dated in New Orleans, September 1, 1784. The Notary attests that he knows the grantor, the witnesses, here present, being Francisco Carcasses, and Manuel Monroy. Signed in the original by Leonardo Mazange, before Rafael Perdomo, Notary Public.

The above instrument conforms to its original, which was executed before Rafael Perdomo and that remains in the Archives in his keeping, to which he refers, and upon the request of the party, he drew up the present on 8 sheets of common and not stamped paper. New Orleans, February 1, 1785. (Signed) Rafael Perdomo. Taxable. Fees 18 reales.

The Writ.

Let the Sheriff, or in his place the Deputy Sheriff, request Pedro Pisani to pay to Leonardo Mazange the sum of 450 pesos, and if he does not pay the stipulated amount, its one-tenth and costs, take execution against his person and property, making a formal seizure of them. The latter will be placed in charge of the General Receiver, as by decree rendered this day, on the advice of the Assessor. Thus it has been ordered. New Orleans, February 5, 1785. (Signed) Esteban Miro. By Order of His Lordship. (Signed) Rafael Perdomo, Clerk of the Court.

Report of the service of the Writ, six months later.

In the city of New Orleans, on August 6, 1785, before the Escribano, appeared Nicolas Fromentin, Deputy Sheriff, and he said that in virtue of the Writ on the reverse side of this paper, he went to request Pedro Pisani to pay, immediately, to Leonardo Mazange, the sum stipulated in the Act of Mortgage, and not having done so, he seized a lot of ground

belonging to him at the corner of Vienbil (Bienville) (a phrase is evidently left out) and on the other by the real property owned by Teresa Colet and faces the island belonging to Fernando Rodriguez, leaving the Writ open so that the creditor might better it, when and where convenient to him. He asked Rafael Perdomo to set this down as the answer, and he signed, to which the Escribano attests. (Signed) Nicolas Fromentin, before Rafael Perdomo, Clerk of the Court.

Leonardo Mazange prays to have the seized property cried for sale.

On August 18, 1785, the plaintiff petitions, averring that the house and lot belonging to the defendant having been seized, may it please the Court to order it cried for sale, as the law requires, and sold at public auction to the highest bidder. Governor Miro, on Assessor Postigo's advice, rules: As it is prayed.

The three public calls for the sale.

The three calls were given on August 18 and 27, and September 5, 1785, respectively, in the presence of the Escribano, standing at the doors of his Public Office, by the voice of the Town Crier, who called the sale of the house and lot which would be adjudicated to the highest bidder; but no one made an offer.

The plaintiff asks to have the real property appraised.

Leonardo Mazange petitions, stating that the public calls were ordered for the sale of a house and lot, seized in his favor, to pay a debt due him. These have been made; therefore, so that the sale may be held, he prays the Court to order an appraisement of this real property. Esteban Miro, on Juan del Postigo's advice, rules: As it is prayed.

Appraisement of the house and lot.

In the city of New Orleans, on September 2, 1785, the Escribano, in company with Josef Adrian de la Place and Andres Waukarny (Wackernie), Public Appraisers, went to the house at the corner of Bienville and Delfina (Dauphine), belonging to Pedro Pizani, built at the end of the lot, adjoined on one side by Luisa Boisclair's place and on the other by that of the mulattress named Francisca (Teresa ?) Colet, for the purpose of appraising it in the presence of the aforementioned Pesani. The said appraisers declared that considering the deplorable condition of the house, they estimated and did estimate it, together with the ground, at 400 pesos. With this they concluded the proceeding and signed, to which the Escribano attests. (Signed) Adriane Joseph de la Place; Wackernie; before Rafael Perdomo, Clerk of the Court.

Leonardo Mazange petitions for the sale of the house and lot.

On September 9, 1785, Leonardo Mazange sets forth that the public calls for the sale of the seized property have been made, therefore he prays the Governor to sentence this cause for the sale and to cite the opposing party

in due form. Governor Miro, on Juan del Postigo's advice, receives this petition and on September 19, 1785, decrees: Whereas, the cause having arrived at this stage, let the party be cited for the auction sale.

Leonardo Mazange prays for a definitive sentence.

On November 9, 1785, the plaintiff petitions, stating that many days have passed since the defendant was cited for the sale, but up to the present he has not offered any opposition, nor produced any defence, therefore he prays His Lordship to order the fourth call and auction of the seized property, giving for this purpose the definitive pronouncement of the sentence. Governor Miro, on Assessor Postigo's advice, receives this petition and later decrees:

Definitive sentence.

In the law suit and executive cause that has pended and pends before me between the parties, on one side Leonardo Mazange, plaintiff, and on the other Pedro Pizani, defendant, for the collection of 450 pesos that the latter acknowledges to owe by written instrument executed before Fernando Rodriguez, dated April 29, 1783, an authentic copy of which has been presented in the course of these proceedings and all else contained in them.

Whereas: Judgment, attentive to the records and merits of this process, to which I refer when necessary, I must order and do order them to act on the execution previously made by writ issued and to proceed with the auction of the property already legally seized, and from its product and full value to pay the said Mazange the sum of 450 pesos, and for the costs caused or to be caused, up to the effective payment, the plaintiff must give bond according to the law of Toledo (forthcoming bond), for this is my sentence, definitively judged, thus I pronounce it, order and sign. Assessor's fees 3 pesos. (Signed) Esteban Miro; Licenciado Postigo.

The plaintiff petitions to have a day assigned for the sale.

On March 10, 1786, Leonardo Mazange states that the sale of the property seized in his favor has been ordered so as to pay the amount the defendant owes him, therefore he prays the Governor to assign a day for the 4th call and auction of same. Esteban Miro, on Juan del Postigo's advice, decrees: Let the 14th of the current month be assigned for the 4th call and auction of the seized property.

Auction.

In the city of New Orleans, on March 14, 1786, Señor Don Esteban Miro, Colonel of the Royal Armies, Governor, ad interim, of the Province of Louisiana for His Majesty, assisted by Juan Doroteo del Postigo y Balderrama, Assessor General and Auditor of War for this said Province, and the present Escribano, went

to the customary place for the purpose of holding the auction sale of the house and lot belonging to Pedro Pisani, and standing at that said place His Lordship ordered the call made by the voice of the Public Crier of this city, who in a loud clear tone proclaimed the said sale, saying: If anyone is willing to bid on a house and lot belonging to Pedro Pisani, let him appear and it will be received; money for same must be paid in cash; and although the said offer was cried for a long time, no bidder appeared, and because it was 12 o'clock His Lordship ordered the crier to proclaim the sale again in a loud clear voice, which he did, saying: Will anyone bid on the said house and lot? If so, let him come forward and his offer will be received. But there was no response to the said cries; therefore His Lordship suspended these proceedings, to continue them whenever it would be convenient, and his Lordship signed with the Auditor, to which the Escribano attests. (Signed) Miro; Postigo; before Rafael Perdomo, Clerk of the Court.

Two other calls are made.

On March 15 and 16, 1786, the above call was repeated, with the same result.

The plaintiff again petitions, this time asking to have the property cried once more.

On February 6, 1787, Leonardo Mazange petitions, saying that these proceedings have been suspended for a long time, and considering that no bidder appeared when Pedro Pisani's real property was offered for sale to pay a debt due the plaintiff, therefore, in order that this suit may follow its legal course, may it please the Court to decree that the house and lot be cried again for public sale and adjudicated to the highest bidder, and to assign the day and hour for same. Governor Miro, on Assessor Postigo's advice, rules: Let the public cries be given as requested.

The three public calls.

The 1st, 2nd, and 3rd calls are given February 6, 14, and 23, 1787, respectively, but no bids were offered.

The plaintiff petitions to have the day and hour assigned for the sale.

Leonardo Mazange alleges that the real property legally seized on his representation was ordered sold at auction, therefore he prays His Lordship to name the day and hour for the public sale. Esteban Miro, on Juan del Postigo's advice, rules: Let the 25th of the current month (March) be assigned as the day for the 4th call and auction.

The plaintiff petitions to have a day assigned for the auction which failed to take place on March 25, 1787.

On February 11, 1788, Leonardo Mazange, through his attorney, Antonio Mendez, who has replaced Pedro Bertonière, petitions, saying that by a last decree, dated March 24, 1787, it pleased the Court to appoint a day for the auction of the real property to be sold in his favor, but whereas this proceeding did not take place,

therefore he prays the Court to assign another day for the public sale. Governor Miro, on Assessor Postigo's advice, rules: Let the 12th of the current month, at 4 o'clock in the afternoon, be named for the sale.

The Auction.

In the city of New Orleans, on February 12, 1788, Señor Don Esteban Miro, Colonel of the Royal Army and Governor General of this Province, assisted by Juan Doroteo del Postigo, Auditor of War and Honorary Judge of the Royal Audiencias of Guadalajara, and the present Escribano, went to the doors of the Casa de Cabildo (Assembly House) for the purpose of auctioning the real property included in these proceedings, and standing at the said doors His Lordship ordered the Public Crier to proclaim the sale in a loud distinct voice, which he did, saying: Whoever is willing to bid on a house and lot situated at the corner of Bienville and Dauphine streets, the house built at the terminal of the lot, adjoined on one side by Luisa Boisclair's place and on the other by that of the mulatress named Francisca (Teresa Colet), let him appear and his offer will be received. The purchaser must make payment in cash. This said house and lot belongs to Pedro Pisani, and although it was cried for a long time, no bidder appeared. And because it was five o'clock of this day, His Lordship ordered the Crier to call louder, which he did, saying: If there is anyone who wishes to buy, let him come forward and his offer will be received, as the sale must be effected this day to whomever will make the highest bid; and notwithstanding the said cries, no one appeared, therefore His Lordship suspended these proceedings to continue them when convenient. His Lordship signed with the Auditor, to which the Escribano attests. (Signed) Miro; Postigo; before Rafael Perdomo, Clerk of the Court.

The plaintiff petitions to have the property adjudicated to him.

Leonardo Mazange sets forth that several attempts have been made to sell the house and lot belonging to Pedro Pisani, at auction, but without success because no bids were offered, therefore may it please the Court to adjudicate this real property to him at the price of its appraisal, granting him the right of recourse so that he may take action again against the defendant for the remainder due, whenever it may be convenient. Governor Miro, on Juan del Postigo's advice, receives this petition and on March 1, 1788, decrees:

Decree.

Whereas: Since there was no purchaser for the lot seized from Pedro Pisani, let it be delivered to the plaintiff for the price of 400 pesos at which it was appraised. The said Pisani is condemned to pay all costs that have been caused. Assessor's fees 8 pesos for the entire suit. Payment received by the Procurator. (Signed) Esteban Miro; Licenciado Postigo.

[*Translator's Note:*—It is not necessary to tax the costs of this case according to the Royal Table of Tariffs, since this was

done in the last decree, which also acknowledges payment received. This case is conducted entirely by the plaintiff, the defendant does not answer, or offer any objections or defense. It is not conducted in the usual way, since execution is taken on the Notarial Act of Mortgage and not through executory process. —L.L.P.]

February 3.

**Leonardo Mazange vs.
Vicente de Morant.**

No. 100, 16 pp.

Court of Governor
Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

To collect a debt.

This suit to collect a debt evidenced by four notes presented, contains no unusual features. As the record stands here, it is incomplete, as the service of the Writ of Summons on the defendant is the last entry in these proceedings.

times, without obtaining his money, therefore he prays the Court to order the defendant, under oath and without delay, to acknowledge, swear and declare whether the signatures to the notes are his and whether he owes the amounts stipulated therein, and done, return his deposition to the plaintiff to be used to enforce his rights. Governor Miro, on Assessor Postigo's advice, rules: The notes having been presented, let the defendant swear and declare to the contents, as requested; entrust the taking of the deposition (to the Escribano), and done, deliver it to the plaintiff.

On the said day, month and year (February 3, 1785), the Escribano made enquiries in this city for Vicente de Morant, to notify him of the foregoing decree, and was informed by several persons that he resides in the country, and in testimony whereof he sets this down as a matter of record.

The next entry is a certified copy of the general power of attorney by which Leonardo Mazange appoints Pedro Bertoniére to represent him, dated September 1, 1784, executed before Rafael Perdomo, and is the same as the one given in full in the foregoing suit.

The plaintiff presents four exhibits, namely: A note for 7 piastres signed by Chevalier de Morant, dated New Orleans, September 18, 1782; 2nd, a note for 10 piastres, signed as above and dated New Orleans, March 20, 1783; a 3rd, for 4 piastres, signed as above and dated March 20, 1783; the 4th reads: Good for 256 piastres 5½ escalins that he will pay to the order of Mr. Mazange, in the month of September 1782. New Orleans, August 27, 1781. (Signed) Chevalier de Morant.

Leonardo Mazange, through his attorney, Pedro Bertoniére, sets forth that as it may be proven from the four notes duly presented, Vincent de Morant owes him 277 pesos 6½ reales (5½?). He has requested him to pay, several

Leonardo Mazange petitions, saying that as may be noted from the proceedings set down by the present Escribano, the defendant could not be found to give his declaration, as ordered, because he lives on his plantation, therefore he prays for a Writ of Citation to be issued and entrusted to some competent person for delivery. Governor Miro, on Juan del Postigo's advice, rules: As it is prayed.

The Writ of Summons reads: By decree rendered by the Governor of this city, it is ordered to issue the present so that any competent person going to Vicente de Morant's plantation may notify him to appear in the present Escribano's Office to give a certain declaration that he had been cited to make at Leonardo Mazange's instance. New Orleans, February 12, 1785.

Nicolas Fromentin reports the service of the Writ in these words: In the city of New Orleans, on February 18, 1785, before the Escribano, appeared Nicolas Fromentin, Deputy Sheriff of this city, who said that pursuant to a decree for a Writ of Citation issued on the reverse side of this paper he enquired for Vicente de Morant here in the city to notify him to go to the Escribano's Office to give a certain declaration, and he answered that he would instantly obey the Governor's orders. The Deputy Sheriff asked to have the above statement set down as the defendant's answer. To all of which the Escribano attests. (Signed) N. Fromentin, before Rafael Perdomo.

The record ends here.

February 3.

**Luis de Lagru vs. Carlos Chabot.
For Slander.**

No. 3050. 8 pp.

Court of Alcalde
Nicolas Forstall.

No Assessor.

Escribano, Fernando
Rodriguez.

This slander suit contains nothing of any particular interest. After the plaintiff had produced five witnesses to testify to the truth of his allegation, the defendant apologized for his remarks, in open Court, and the case was thus ended.

Luis Delagrouet (De La Groue) and Bautista Jourdin (Jourdain) petition, setting forth that yesterday, the 2nd of February, at about half past eleven o'clock in the morning, Carlos (Claudio) Chabot went to their dwelling house, where he spoke to Mr. Jourdin about the delivery of a stock of barrels, saying to him that if he followed the principles of his partner, De La Groue, he would become a rogue and a knave like him, and if he upheld him he was also a knave. He repeated these words, many times, in the presence of five white persons; therefore, considering that Mr. Chabot's procedure was strange for a man of honor, whose slanders have defiled them, besides casting a slur upon the integrity and honesty with which they have traded, trade, and trans-

act their business, for this reason they complain civilly and crim-

inally against Carlos Chabot and pray His Honor to order testimony received on the tenor of this written petition, and done, render a decision that will be just, so that the defendant may be punished for his crime, to serve as a correction to him and an example to others. They swear by God, Our Lord, and the Cross, in conformity to law, that this complaint does not arise from malice and is to protect their honor and reputation.

The plaintiffs pray the Court to receive this complaint, which they protest should have been drawn up in better form, and to decide and order as they have requested. Alcalde Forstall rules: Let this complaint be received, inasmuch as it has place in law. The witnesses that this party will present must swear and declare as requested, and done, bring their depositions to the Court for a decree.

Testimony of the First witness.

In the city of New Orleans, on February 3, 1785, Luis Lagrou & Company appeared before the Escribano to produce their evidence, as ordered, and in the presence of Nicolas Forstall, Regidor Perpetuo and Senior Alcalde of this City, oath was administered to Luis Monget, which was taken by God, Our Lord, and a Sign of the Cross, under charge of which he promised to speak the truth, and being examined upon the written complaint that begins this proceeding, he said: that on the 2nd of the current month, at about half past eleven in the morning, he went to the plaintiffs' cooperage shop where Carlos Chabot presentd himself, and speaking to Jourdain, asked where his barrels were; the latter answered they were ready, but that just as soon as this account would be finished, for which they had contracted, he could not make any more for him at that price. At this Chabot said to Jourdain, that if he sent the barrels by the Negroes they would break the braces with sticks. To this Jourdain answered that he would not give sticks to his Negroes. Chabot then said: You and Lagrou are rogues and knaves. There was nothing more and Chabot left. This is all he knows of the affair because he was present. What he has testified is the truth, under charge of his oath, he is 35 years old, and he signed with His Honor to which the Escribano attests. (Signed) Nicolas Forstall; Jean Louis Mongeté. Before Fernando Rodriguez.

Second witness.

Francisco Viveret testifies that on the 2nd of the current month, at about half past eleven in the morning, he went to Luis Lagrou's cooperage shop, where he heard Carlos Chabot talking to Jourdain. He told him he was a rogue and a knave, like Lagrou. To this Jourdain asked whether he knew Lagrou to be a knave. Chabot answered, yes; then he went away and the witness did not see nor hear anything else. This is the truth, under his oath, he is 37 years of age, and he did not sign because he does not know how to write. His Honor signed, to all of which the Escribano attests.

Third witness.

Antonio Esco testifies that on the 2nd of the current month, at about half past eleven in the morning, he went to Jourdain's cooperage shop, where he saw Carlos Chabot enter and speak to the abovesaid Jourdain; he told him he was not satisfied with the stock of barrels, nor did he wish to have them sent to him by Negroes. To this Jourdain answered that he would deliver them by white men, and without further reason Chabot told Jourdain that he and Lagrou were both knaves. This is what he heard, is all he can declare about the matter, and is the truth, under his oath. He is 26 years old, and he signed with His Honor, to which the Escribano attests. (Signed) Nicolas Forstall; Escot Jr. Before Fernando Rodriguez.

Fourth witness.

Santiago Ristor testifies that on the 2nd of the current month, at half past eleven in the morning, he went to Jourdain's cooperage shop, where he saw Carlos Chabot enter, and that he disputed with the former about the work done on a stock of barrels. Jourdain told him that if he was not satisfied with Negroes, he would send white men to close them after they were full. Then Chabot said to Jourdain: You and Lagroue are both knaves. At this Luis de Lagroue came in and had some words with Chabot, but he did not hear, nor see anything else. This is the truth, under his oath, he is 21 years old, and he signed with His Honor, to which the Escribano attests. (Signed) Nicolas Forstall; Jacques Ristor. Before Fernando Rodriguez.

Fifth witness.

Juan Galot testifies that on the second of the current month, at about half past eleven o'clock in the morning, Claudio (Carlos) Chabot entered Jourdain's cooperage shop, and speaking to him said: Why have you ordered Negroes to close the barrels? Jourdain answered: If you do not wish Negroes, I shall send white men; and there were other disputes about the stock of barrels. Then Chabot told Jourdain that Louis de la Grou was a knave, which he repeated more than four times, and Jourdain asked how he knew that Louis Lagrou was a knave. He answered that it was because Lagrou was a knave, and that was the reason. The witness did not see nor hear anything else; and said that what he has testified is the truth, under his oath. He is 28 years old, and he did not sign because he does not know how. Alcalde Forstall receives these depositions and sends them to the Auditor for legal advice.

Decree.

New Orleans, February 10, 1785.
Considering that Luis de Lagrou has presented himself in Court, asking to suspend these proceedings, let a decree be rendered as he has requested.

The litigants compromise their case.

In the city of New Orleans, on February 10, 1785, in the Court room of Nicolas Forstall, Regidor Perpetuo and Senior Alcalde

of this city, were present, Luis de Lagrou, plaintiff, and Carlos Chabot, defendant, to end their criminal suit, pending, begun by De Lagrou against Chabot for slander, that is, the latter called the former and his partner, Jourdain, knaves, in virtue of which Claudio Chabot, by these presents, declares himself to be sorry for having called his opponent a knave and a rogue, as the witnesses have deposed in the summary, because he has always held and does hold the abovesaid to be honorable men; and he signed with Lagrou, the witnesses, here present, being Geronimo La Chapela, Luis Loisel, Francisco Caiserguez, Angel Babiny and Juan Pedro Galabert, residents of this city, to which the Escribano attests. (Signed) Nicholas Forstall; Chabot; L. Delagroue. Before Fernando Rodriguez.

February 5.

**Proceedings brought by
Josef Montegut, empowered
by Felician Delille, Widow
of Juan Vincent, against
Miguel Morin Toulouse, to
collect a debt.**

No. 3356, 9 pp.

Court of Alcalde
Nicolas Forstall.

Assessor, Juan del Postigo.

Escribano, Fernando
Rodriguez.

This suit to collect a debt due for effects purchased at auction held to dispose of the property of a succession, has no features of particular interest. The proceedings reveal that the debtor is already in prison for failure to make payment, and the plaintiff sues for a Writ of Execution against defendant's property in order to satisfy the debt. Defendant acknowledges the debt, but claims the plaintiff also owes him a certain sum on account. The Writ is issued by the Court and the Deputy Sheriff seizes a mulatto slave belonging to the defendant. The record ends here, and the case must have been settled out of Court before the seized slave was sold.

let same be delivered to the plaintiff.

The defendant's deposition.

In the city of New Orleans, on the said day, month and year (February 5, 1785), the Escribano, in virtue of the commission conferred upon him, received the oath of Miguel Morin, called

The record opens with a note explaining that pages 1 and 2 have been removed in accordance with a decree of the Court dated May 28, 1785. It replaces the two bills that formed the basis of the suit.

Josef Montegut, empowered by Felician Delille, Testamentary Executor of her late husband, Juan Vincent, petitions, saying it is evident from the two bills duly presented, that Mr. Toulouse owes the succession of the deceased for merchandise adjudicated to him at the auction held to dispose of Mr. Vincent's estate and for goods bought at the latter's shop, amounting in all to 329 pesos 7 reales. The defendant has been detained in the public prison of this city for a long time because he is not able to pay this debt, therefore the petitioner prays for a Writ of Execution against all of his property. Alcalde Forstall, on Assessor Postigo's advice, rules: Let the defendant swear and declare to the contents of the above request and as to whether the accounts presented are legally due. Entrust the taking of the deposition to the Escribano, and done,

Toulouse, taken by God, Our Lord and a Sign of the Cross, according to law, under charge of which he promised to speak the truth, and placing the bills on pages 1 and 2 on manifest, he said it is true that he owes the amounts specified therein, but that Juan Vincent's succession also owes him a certain sum of money. This is the truth under charge of his oath, he is 45 years old; and he did not sign because he does not know how to write. To all of which the Escribano attests.

The plaintiff petitions for the verification of the articles sold at auction.

Joseph Montegut again petitions, stating that his opponent was ordered to verify his debt, but as the merchandise was sold at auction, in the presence of Francisco Maria de Reggio, then Alcalde, he prays to have the Escribano certify whether all merchandise mentioned in the second bill, filed on page 2 of these proceedings, is correct and whether the effects stipulated therein were sold in his presence. And as regards the first bill, filed on page 1, he further asks to have Mr. Toulouse requested to swear and declare whether it is a just debt, and done, deliver his deposition to the plaintiff. Alcalde Forstall, on Assessor Postigo's advice, rules: As it is prayed.

The Escribano's certification.

In virtue of the foregoing decree and upon an examination of the records of the sale of the Juan Vincent estate, the Escribano certifies that all the entries contained in the bill presented by Josef Montegut are in conformity to and agree with the said proceedings, to which he refers. New Orleans, March 12, 1785, (Signed) Fernando Rodriguez, Clerk of the Court.

Marginal note.

A marginal note stipulates that for the audit of accounts and comparison with the records, it has been indispensable to employ time for research, to which the Escribano attests. (Signed) Rodriguez.

The plaintiff petitions for a Writ of Execution.

Joseph Montegut sets forth that, as appears from the Escribano's certification and Mr. Toulouse's declaration, the latter owes him the sum above stated, and that in virtue of the merits resulting in his favor, he prays the Court to issue a Writ of Execution against the person and estate of the defendant to the extent of the debt, its one-tenth and costs. Alcalde Forstall, on Assessor Postigo's advice, receives this petition and later decrees:

Decree.

In the city of New Orleans, on April 19, 1785, Nicolas Forstall, Alcalde Ordinario of this city for His Majesty, having examined these records, said: That he must order and does order a Writ of Execution issued against the person and property of Miguel Moran Toulouse, for the sum of 329 pesos 2 reales, its one-tenth and costs, caused or that may be caused up to the payment in

full. This is his decree, thus he provides, orders and signs. Fees 2 pesos. (Signed) Nicolas Forstall; Licenciado Postigo.

The Writ of Execution.

Let the Sheriff of this city, or in his place the Deputy Sheriff, request Antonio (Miguel) Morin Toulouse to pay, immediately, the sum of 329 pesos 3 reales that it is evident he owes the succession of the late Juan Vincent, and if he does not pay, at once, take execution against his person and estate for an amount sufficient to satisfy the debt, its one-tenth and costs, according to a decree rendered on the advice of the Auditor of War. Thus it has been ordered. New Orleans, April 19, 1785. (Signed) Nicolas Forstall.

Service of the Writ.

In the city of New Orleans, on April 22, 1785, before the Escribano, appeared Nicolas Fromentin, Deputy Sheriff, and he said that with the Writ on the reverse side of this page, he requested Antonio Moren (Morin) to pay Joseph Montegut the sum of 329 pesos immediately, and because he did not do so he seized a quadroon named Luis, aged 14 years, which he asked to have set down as a matter of record, and he signed, to which the Escribano attests. (Signed) N. Fromentin. Fernando Rodriguez failed to sign.

The plaintiff asks to have Luis appraised.

(Space left blank for the date.) Joseph Montegut states that Nicolas Fromentin, Deputy Sheriff, seized a quadroon named Luis, belonging to the defendant, therefore he prays the Court to order the Public Appraisers to place a value on this slave and have him cried for sale as the law requires. Alcalde Forstall, on Assessor Postigo's advice, rules: As it is prayed.

[Translator's Note:—Nothing further is done, but referring to the entry substituted for pages 1 and 2, the case must have been settled out of Court, since the two bills were returned to the defendant.—L. L. P.]

February 7.

Marine Protest.
Proceedings instituted by
Antonio Argote to justify the
arrival of his frigate in
Philadelphia.

No. 53. 22 pp.

Court of Intendant
Martin Navarro.

The first entry is the Marine Protest, which reads: In the city of Philadelphia, on May 2, 1784, in the 9th year of the Independence of the United States of America, before Pedro Estevan du Ponceau, Scribe, Notary Public and sworn Interpreter for English, Spanish, French and Italian, in this State of Pennsylvania, who in the name and by the authority of the people of the said State, has been legally admitted and commissioned, personally appeared Agustin Rodriguez Crespo, Captain of the pri-

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

This action, brought by the owner of a ship to absolve the captain of the vessel of blame for having taken the vessel into a foreign port, contrary to Spanish commercial regulations, under stress of weather, illustrates the legal procedure followed in such cases. The case comes before the Court of the Intendant, which exercised jurisdiction in all matters connected with commerce.

vate Spanish Frigate, named the "Matilde," who having taken due oath, according to law, declared and said: That he sailed from the Port of Havana, the 27th of last March, cleared for New Orleans, and has had to make a forced landing in this Port because of the following incidents that may be proven from his log and are, namely:

Just as soon as he sailed from Havana, which was at about nightfall, course adjusted for New Orleans, with a calm ENE wind, skies and horizons aqueous, up to the following day, the 28th, at 4 o'clock in the morning, when the wind abated, he caused the ship to lay to with the top sails. Then it changed to NES for the space of two and a half days, during which the calm lasted, and no observations were made until March 30th, when he was able to do so. Although the sun was somewhat obscured, he found they had reached the 25th degree of latitude. He sounded, but did not find bottom. He sailed with the wind from the SE, and by 1 o'clock in the afternoon it blew from the NW, and in the space of 3½ hours, the frigate made 3½ miles in sight of the Keys, more to the NW of the Martyrs, in consequence of which he determined to put into the narrow passage between them because the rapid force of the currents veered the ship to the NE, actually at Sangree. He intended going ashore at Port Maysi to ask to sail through the Strait from the north, so as to follow their course to the south of the Island of Cuba, but just as he was about to disembark, at 28, 30 M. North Latitude and longitude 237, 44 M. they encountered thick weather from the S. and SW. He managed to carry a stiff sail for 12 hours, a bobstay at the stem, one of the chains of the main channel and all principal sails, without receiving any service and with the compass of the binnacles nearly useless. The drinking water was taken to the between decks, which were considerably damaged from the buffeting by the ocean which poured in through the leaks in the deck, where the upperworks of the ship had fallen upon it, causing salt from the sea to become mixed with the drinking water, etc. In this precarious condition he resolved to run for and to make the first port he could, and at the end of three days, which was April 4th, the weather cleared up and by observation he found the vessel to be in latitude 34, 10 M. He then steered his course to try to enter Charleston, veering to NW ¼ N, but clouds and calm having overtaken them and continuing for the space of two days, at the end of that time they had strong winds which lasted another two consecutive days, with many squalls, rain and continued cloudy weather, and not being able to carry a stiff sail he was forced to run north until April 8, when the wind abated, although there was a heavy sea. At last he succeeded in making

observations and found the ship was in latitude 38 degrees, so he directed his course to the river of this city, with variable winds by 3° quadrant, as the closest place to seek help in their distress, owing to the damages his ship, its riggings and food supplies had suffered, but the contrary winds from land and the calm sea they experienced from ahead, delayed entry for a landing until April 27, and on that day at dawn he sighted land at the mouth of the river, however on account of defective sails and a rotted rudder, his arrival in this city had to be put off for 4 days. Therefore, to all the above he protests for the first, second and third time against the sea and whoever should be legally held responsible for the damages, prejudices and losses his ship has sustained, together with its stores and the cargo it carried for the Port of New Orleans, and he signed with Juan Josef de Arbulu and Juan Young, witnesses, in the presence of the Notary. (Signed) Agustin Crespo; Pedro del Valle, Pilot of the frigate (who also swears to the foregoing declaration); John Young; Juan Josef de Arbulu; Peter S. Du Ponceau, Notary Public.

Paper Seal.

This agrees with its original which remains in my Notarial Office, in faith of which I have signed the present, and I have sealed with my Notarial Seal. Philadelphia, August 16, 1784. (Signed) Peter S. Du Ponceau, Notary Public.

We the undersigned, merchants and representatives of the French Government in the Consulate General of Philadelphia, certify that Pedro Esteban Du Ponceau, by whom the foregoing written instrument is signed and sealed, is Scribe, Notary Public and sworn Interpreter for English, Spanish, French and Italian, in the state of Pennsylvania, as he is fully and legally entitled, and entire faith and credit in justice and outside of it must be given, at all times, to his written instruments, acts and all his other proceedings. Executed in Philadelphia, August 17, 1784. (Signed) P. D. Robert; Zemeng Terrasson.

Antonio Argote presents this Protest and prays to call witnesses to corroborate it.

Antonio Argote, resident of this city, Captain of Militia, petitions, setting forth that according to the copy presented, of the proceedings that took place in Philadelphia, before Pedro Esteban du Ponceau, Notary Public, dated May 2, 1784, and certified to by representatives of the French Government, August 17, 1784, it is fully proven that for unavoidable reasons and contrary winds, his frigate, the "Matilde," cleared from Havana, March 27 of this year, for New Orleans, was forced to enter Philadelphia. The said frigate was in charge of Captain Agustin Crespo, whose protest, executed in due form, was signed by him and his second, Pedro del Valle; said Protest was based on his log, which has been exhibited with proper formalities.

Lacking the necessary means to defray the added expenses for costly repairs, because of the damages to the ship and its riggings, to make her seaworthy, to continue the voyage to this port, has caused the delay in her arrival here, as stipulated in her clearance papers that he has presented.

And so that this involuntary delay may not cause prejudice to the petitioner because of the very grave misfortune that has followed owing to accident, he wishes a ratification of the said documents and that His Lordship will deign to order witnesses summoned to be examined upon their tenor and the matter of the forced arrival of the "Matilde" in Philadelphia. He names as a special witness, Josef Ramon de Urquijo, a passenger on the frigate, who will testify along with the other members of the crew that he will present. The Captain and his second cannot appear because both are ill and could not make the voyage. He prays the Court to order and decree as he has petitioned, and if these declarations corroborate the unavoidable reasons that caused his ship's arrival in another port, in merits of justice to declare it as such, and in consequence to order that he be given a certified copy of these proceedings for purposes convenient to him. Martin Navarro, on Juan del Postigo's advice, rules: The documents having been presented, let the witnesses be summoned, and upon examining them, if their testimony conforms to what has been stated, a decision shall be rendered.

Testimony of the witnesses.

The following witnesses, Josef de la Mesa, guardian of the frigate, Antonio Fernandez, Luis Zircal, and Juan de Acosta, sailors and Josef Ramon de Urquijo, a passenger, each in a separate declaration corroborates Captain Crespo's Protest.

Antonio de Argote petitions for a judicial decree.

Antonio de Argote petitions, saying that the testimony of his witnesses has been taken in accordance with the Court's decision and that the result fully proves the truth of the accidents that caused their chance arrival in another city, therefore may it please the Court to declare it legitimate, interposing, for its greater validation and force, its authority and judicial decree, and to order the certified copy issued that he has already requested, for purposes convenient to him. Intendant Navarro, on Assessor Postigo's advice, receives this petition and later decrees:

Decree.

In the city of New Orleans, on February 12, 1785, Martin Navarro, Intendant General of this Province, having examined the certified copy of the proceedings instituted in Philadelphia to prove the legality of the arrival of Antonio de Argote's frigate, the "Matilde," in that city, the testimony given by his witnesses and the log that he has presented, together with everything else worthy of consideration, His Lordship said that from now he must declare and does declare the arrival of the said Antonio de

Argote's frigate in Philadelphia as legitimate and valid and that it was not through any fault of the Captain, or lack of intelligence on his part, or that of his Pilot, absolving him of all responsibility in the matter, and so that the abovesaid may have effect, His Lordship interposes and does interpose his authority and judicial decree, inasmuch as he can and must. Let the costs be taxed by the present Escribano, who must give the petitioner the certified copy or copies he requests, his log must be returned to him for purposes that may be convenient to him. For this is His Lordship's decree, thus he has provided, ordered and signed, to which the Escribano attests. (Signed) Martin Navarro; Licenciado Postigo.

Marginal note.

A marginal note stipulates that dated this day, a certified copy of these proceedings was drawn up on 40 sheets of paper which was delivered to this party. New Orleans, March 10, 1785. (Signed) Perdomo.

February 7.

**Renato Rapicut vs. one
named Dalchurut.
To Collect a Debt.**

No. 3117. 21 pp.

Court of Governor
Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Fernando
Rodriguez.

This suit, brought by one partner to settle accounts of a partnership engaged in trade between New Orleans and the Illinois (St. Genevieve), contains some interesting information for the student of the economic history of Spanish Louisiana during the latter years of the American Revolution. Dangers to trade on the Mississippi during the Revolution, uncertainty of communication by way of the river, the difficulty of transferring funds, prevailing interest rates, and certain trade practices are revealed in the documents. There is nothing of particular interest to the student of the legal history of Spanish Louisiana. When the accounts of the partnership are presented in Court, the verification of the signatures is made, and the petition of the plaintiff is granted.

boat. I would have been able

The first entry is a letter, written in French, later translated into Spanish, dated Saint Genevieve, August 15, 1782, signed Dalchurut (or Datchurut), addressed to Sir and Friend, supposedly Mr. Rapicut (Rapicault), and reads:

Although I am convinced that you have made efforts to pay a little to my creditors, as you have promised, I have shipped some articles in Laffon's boat, but misfortune willed that the said boat should be seized; you have been deprived of this help and I am grieved at the loss. Mr. Boisdoré, to whom I have made remittance to pay my note, is in the same predicament; please tell him that I shall replace it at the first opportunity with fresh flour, sent on one of the boats in port, as the King's ship is too overloaded with provisions and people being transported to Arkes (Arkansas?).

It is not without fear that I risk sending the present letter containing four drafts on the Royal Treasury, amounting altogether to the sum of 1711 piastres 17 maravedis, in Mr. Labbadie's care and on his to add something more to this re-

mittance, but the safety of the Mississippi being still uncertain, I have thought it better to limit the amount and think that my reason will be plausible to my creditors and to you in case you have paid them for me, and blame me for this precaution. At all events I enter into the arrangements, as just, that you will have made because of the delay and by those caused this autumn, you will have reason to be well pleased.

You will find here attached an open letter to Mr. Soubie; if after you have read it, you can pay this amount, without inconveniencing yourself, I shall be obligated to you. It is money he lent me at the time of our arrival in Natchez, because I shall be very pleased to have this debt paid and at the same time sorry if I knew that you were inconvenienced, but since the amount is small, I think you will find the means to do this favor for me.

Concerning what has been told me, about Fs. note, it seems that we paid it, in Natchez; if we have not already done so, I ask you to hasten to take up this said note and end the matter.

I remain in hopes of going down to New Orleans this autumn, but I should be sorry to fall into the hands of our enemies. What we may be able to learn between now and that time, will cause me to decide whether to go down to the city, or stay here, then I shall let you know what will be necessary for me. For the present I do not think there will be enough boats before the spring. Will you acknowledge receipt of this letter at your first opportunity and believe me to be, with the greatest sincerity and affection, Sir and Friend, Your very humble and obedient servant. (Signed) Dalchurut (or Datchurut).

With the assurance of my respect to Madame (your wife) and to Mr. and Mrs. Paillet.

A certificate at the
end of Benito's account,
dated July 8, 1781, for..... 587 piastres 4 reales 17 maravedis

One, the same, to my
order the 4th of the cur-
rent (month) for the sum
of

648 " 4 "

Idem of the same day 349

Idem of the same day 126

Total..... 1711 " " " 17

I have received from Mr. Rabikos the sum of 1711 piastres 17 maravedis in four bills of exchange, on account for notes of a larger amount from the said Mr. Dalchurut. New Orleans, September 3, 1782. (Signed) Baure.

2nd Exhibit. A statement of what Dalchurut owes Rapicault on the notes drawn up by both for fitting out boats that they have made together, for the Illinois and paid by Rapicault.

A note for Mr. Paillet for.....	818 p.	2½ R.
One for Mr. Jourdain for.....	41	
One for Mr. Maroquin.....	30	
Another for the same.....	38	2
	927	4½

The one half of the said amount equals four hundred and sixty three piastres six escalins..... 463 P. 6 E.

Due on a note paid by Rapicault to the Junior		
Mr. Monlon, from whom a receipt was required.....	152	7
Dalchurut owes Rapicault for a balance.....	310	7
For 3 years interest at 10%.....	93	
	403	7

Written across the back; Transactions with Mr. Dalchurut and private affairs with Mr. Dalchurut.

3rd Exhibit. No. 1. We, the undersigned, acknowledge that the notes made by us, or either one of us separately, in favor of Messrs. Dubrieul, Sarpy, Paillet, Jourdain, the cooper, Monlon Jr. and Borre (Baure) are payable by us in equal portions, as orders drawn by us, or either one of us, particularly for Mr. Borre, all dated in the month of August of last year, in faith of which we have made this acknowledgment in duplicate in Saint Genevieve, March 5, 1782. (Signed) Rapicault; Dalchurut.

4th Exhibit. No. 2. Good for 30 piastres, in merchandise, that we pray Mr. Majorquin to deliver to bearer, named Malouin, and you will oblige your very humble servants, Aug. 20, 1781. (Signed) Dalchurut; Rapicault.

5th Exhibit. No. 3. Next February we will pay to the order of Mr. Majorquin the sum of 38 piastres 2 escalins, for value received from the above-named gentleman. New Orleans, August 20, 1781. (Signed) Rapicault; Dalchurut.

6th Exhibit. No. 4. We acknowledge to owe Mr. Paillet the sum of 818 piastres 2½ escalins, which we will pay next March. New Orleans, August 20, 1781. (Signed) Rapicault; Dalchurut.

7th Exhibit. No. 5. I, the undersigned, acknowledge to owe Messrs. Jourdain and Lagroue the sum of 41 piastres that I shall pay on my return. New Orleans, August 20, 1781. (Signed) Rapicault.

Written across the back: Received payment July 7, 1782. (Signed) F. L. Delagroue and Jourdain.

The plaintiff petitions to be paid from funds belonging to the defendant, held in New Orleans.

Renato Rapicault petitions, saying it may be proven from document Number 1, that Mr. Dalchurut, by its tenor, obligates himself to account for and pay all and any notes they have made together, or separately. In accordance with this agreement they drew up those numbered 2, 3, 4 and 5, amounting to 927 pesos 4½ reales; one half of this sum, or 463 pesos 6 reales, belongs to Mr. Dalchurut; from this share the petitioner paid the Junior Mr. Monlon 152 pesos 7 reales, and there now remains 310 pesos 7 reales as his part of the funds; therefore considering the defendant's letter dated Saint Genevieve, August 15, 1782, wherein he promised to remit money to meet these obligations, but he has not done so and it has been necessary for the plaintiff to pay the 310 pesos 7 reales from his own share, in virtue of which he prays His Lordship to order Salomon Maglines (Malines), who has merchandise belonging to Dalchurut, to pay him the said 310 pesos (7 reales) after all legal formalities have been complied with.

Decree.

Governor Miro, on Assessor Postigo's advice, decrees: Let the documents presented be translated by Esteban de Quiñones, and done, bring the records to the Court.

Notification, acceptance and oath.

In the city of New Orleans, on the said day, month and year (February 7, 1785), the Escribano personally notified Esteban de Quiñones of the foregoing decree, and he said he accepted and did accept and swore by God, Our Lord and a Sign of the Cross, according to law, to proceed well and faithfully with the duties of his appointment, and he signed, to which the Escribano attests. (Signed) Esteban de Quiñones, before Fernando Rodriguez.

Translation of the documents.

Here follows a translation of the documents, written in French, that form the basis of this suit. In this translation there is an entry not given with the originals and may have been mislaid, or returned to the defendant. This reads:

An acknowledgment of 200 pounds of pelts at the price in Illinois and for 4 (years?) interest at 10%..... 280

An acknowledgment of a new enclosure in which Mr. Dalchurut said he lent Mr. Seré, at costs to both, 100 pounds of deer skins, the former's share being 50 pounds..... 50

The amount due in pelts at the price in Illinois, for 330 pounds of stale deer skins, or their value..... 330

Written in the margin, at the end of the translation: 22 reales. Rights to Taxation. Received from the present Escribano.

Decree.

Juan del Postigo rules: Considering the translation, let this party prove that the signature at the end of Document No. 1 is Mr. Dalchurut's and the one he is accustomed to make.

Mr. Baure verifies Mr. Dalchurut's signature.

In the city of New Orleans on the said day, month and year, pursuant to the foregoing decree, Renato Rapicault presented Alexandre Baure, as a witness, to prove what he has set forth. The Escribano, in virtue of the commission conferred upon him, administered the oath, which was taken by God and the Cross, in conformity to law, under charge of which he promised to speak the truth, and upon showing him the signatures, said to be Mr. Dalchurut's, appearing on the documents filed on pages 2, 4, 5, 6, and 7 of this suit, he said he recognized them to be in Mr. Dalchurut's handwriting, because he has seen him sign his name many times. This is the truth, under charge of his oath, he is 60 years of age, and he signed, to which the Escribano attests. (Signed) Baure, before Fernando Rodriguez.

Luis Boisdoré and Antonio Ramis also testify.

Luis Boisdoré and Antonio Ramis, each in a separate declaration, worded as above, verifies Mr.

Dalchurut's signature.

The plaintiff prays to be paid from the defendant's merchandise.

Renato Rapicault petitions, saying that the signatures to the documents he has presented have been proven to be those of Mr. Dalchurut, therefore he prays to have Salomon Maligne, who holds funds belonging to him, ordered to pay the sum stipulated, namely 310 pesos 7 reales. Esteban Miro, on Juan del Postigo's advice, receives this petition and later decrees:

Decree.

In the city of New Orleans, on October 15, 1785, Señor Don Esteban Miro, Colonel of the Regiment of Infantry of this Place, Governor of it and its Province, having examined these proceedings, said: That he must order and does order Salomon Maligne to pay Renato Rapicault the sum of 403 pesos 7 reales, from the funds he holds in his possession belonging to Mr. Dalchurut, which includes the interest, as agreed upon by the parties; the said Rapicault must give the necessary receipt to the abovenamed Maligne, to this effect, so that the debt will appear as paid for all future time. Mr. Dalchurut is condemned to pay costs for this suit. This is his decree, thus he has ordered and signed. Assessor's fees 3 pesos. Received. (Signed) Esteban Miro; Licenciado Postigo; before Fernando Rodriguez.

Fernando Rodriguez prays for a Taxation of Costs.

Fernando Rodriguez petitions, saying a suit, Rapicault vs. Dalchurut, for a liquidation of ac-

counts, was brought, and considering that this cause is finished, he prays for a taxation of costs, to be made by Luis Lioteau. Governor Miro rules: As it is prayed.

Notification, acceptance and oath.

On the said day, month and year, the Escribano personally notified Luis Lioteau, Public Taxer, of the foregoing decree, and he said he accepted and did accept and swore by God, Our Lord and a Sign of the Cross, in conformity to law, to proceed well and faithfully with the taxation he has been ordered to make, in accordance with his legal knowledge and understanding, and he signed, to which the Escribano attests. (Unsigned.)

Taxation of Costs.

On October 19, 1785, Luis Lioteau taxes the costs of the case at 13 pesos 3 reales, to which 3 pesos is added, bringing the total to 16 pesos 3 reales.

February 8.

Certified Copy of the Proceedings prosecuted by Miguel Hero against the free negro, Felipe, for having forced the door of his room, broken open his chests and robbed him of some of his clothes.

No. 3042. 12 pp.

Court of Alcalde
Nicolas Forstall.

Assessor, None named.

Escribano, None named.

This criminal suit against a free Negro for burglary and theft illustrates the legal procedure in such cases. The method employed in the prosecution and the sentence meted out to the culprit are interesting; and the fact that a certified copy of these proceedings were made in 1802, nearly two decades later, would seem to indicate that this same free Negro was again in trouble. The list of hogs owned by the free Negro and the valuations placed upon them are interesting items.

Examination of the doors of the room.

Immediately after, His Honor, accompanied by the Escribano, went to the house abovenamed, and upon examining the doors of Miguel Hero's room, found them forced open; they also examined the chests that were in the street and found them broken

In the city of New Orleans, on February 8, 1785, Nicolas Forstall, Regidor Perpetuo and Alcalde Ordinario for His Majesty for this city, said: That now at about 7 o'clock in the morning, he has just been notified that in the courtyard of Guido Dufossat's house a room had been found forced open and on the street, in front of the door, two chests broken open; that in them was a little sail thread, a book, and some silk stockings, with other trifles of no importance. This said room was occupied by Miguel Hero, to whom the chests belonged, and who was at the time absent fishing. Therefore His Honor ordered these proceedings drawn up to begin the suit, and by its tenor to examine the witnesses who might have some knowledge of the act, and that he would go to examine the house and chests. For this His Honor decrees, thus he ordered and signed, to which the Escribano attests. (Signed) Forstall, in the original.

into and empty, except for a little sail thread, an old book, a pair of silk stockings, and other merchandise that did not merit attention. The chests were placed in the keeping of one called San Justo, who acknowledged to have received them and obligated himself to hold them and to produce them promptly at the disposition of the Court. His Honor ordered the Escribano to set down all the abovesaid as a matter of record. To which the latter attests. (Signed) Nicolas Forstall.

Miguel Hero prays for the arrest of Felipe. Miguel Hero, resident of this city, a fisherman by trade, appeared before His Honor and said

that he complains civilly and criminally against the free Negro, Felipe, who, with little fear of God and less esteem for the Court, has broken open the doors of his house and his chests and robbed him of his clothes while he was away fishing. This act was reported to His Honor, and on Carnival day, the next after the robbery, he was able to prove who was the thief because on this day he found out that the Negro had sold his clothes on the levee. Therefore, in order to prove the truth fully, he prays the Court to make him a prisoner and to seize his property. The plaintiff swears by God, Our Lord, and a sign of the Cross, according to law, that this complaint does not arise from malice and is convenient to his right. Alcalde Forstall receives this petition and later decrees:

Decree.

Whereas: Issue a Writ of Imprisonment against the free Negro named Felipe, seize and sequester his property, and let it appear from a certification of the Warden of the Prison that he holds him in his keeping, then proceed to receive his declaration. (Signed) Forstall.

Certification of imprisonment.

On the said day, month and year (March 8, 1785), the Escribano went to the Royal Prison of this city to notify Francisco Sanchez, personally, of the part of the foregoing decree that concerns him, and he declared that he holds the free Negro, named Felipe, in his keeping as a prisoner, and he signed, to which the Escribano attests.

Writ of Imprisonment.

Let any Minister of Justice arrest the free Negro, Felipe, place him in the Public Prison, seize his property which must be deposited with the General Receiver, as by decree rendered this day in the criminal suit prosecuted against the said Negro. Thus it is ordered. New Orleans, March 8, 1785. (Signed) Nicolas Forstall.

Proceedings for imprisonment.

In the city of New Orleans, on the said day, month and year, before the Escribano, appeared Nicolas Fromentin, Deputy Sheriff, who said that in virtue of the foregoing writ, he placed the free

Negro, Felipe, in the Royal Prison of this city, but did not seize his property because the aforesaid prisoner is a resident of Fourch (La Fourche), where he declared he had some possessions. Fromentin signed, to which the Escribano attests.

Confession of the accused.

In the city of New Orleans, on March 10, 1785, Nicolas Forstall, Regidor Perpetuo and Senior Alcalde of this city and its jurisdiction for His Majesty, went to the Royal Prison where he caused to appear before him, a man imprisoned there, from whom His Honor, before the Escribano, received the oath which he took by God, Our Lord, and a Sign of the Cross, according to law, under charge of which he promised to speak the truth, whereupon the following questions were put to him:

1st Q. What is his name.? Where was he born? Live? His age? And state?

A. His name is Felipe, he is from Guinea, a resident of La Fourche, aged 30 years and a bachelor.

2nd Q. Who arrested him and for what cause?

A. A Minister of Justice made him a prisoner, by order of His Honor; the cause, according to what he has heard said, is because of a robbery committed against a fisherman who lives in a room in Mr. Dufossat's patio.

3rd Q. Does he know anything about the robbery?

A. Up to the present he does not know anything.

4th Q. Where was he on Carnival Day?

A. He was on Mr. Prevot's (Prevost) plantation.

5th Q. Did he often go to Santy Piren's house which is in Mr. Dufossat's patio?

A. He entered Saly's (Santy?) house only once, but did not speak of the robbery.

6th Q. What clothes did he have that were stolen from Miguel Hero?

A. A vest and a pair of trousers, he has these because he bought them from Francisco, Mr. Dejan's slave, and as for the rest of the things that have been shown to him, he does not know who sold them to Mrs. Carrier's (Carrière) Negro who was in possession of them when he met him.

7th Q. Does he know who sold, or gave the rest of the clothes to Mrs. Carrier's slave, and whether it was Mr. Dejan's Francisco? And although other questions were put to the accused, he said he did not know anything more.

He declared that what he has stated is the truth, under charge of his oath, he is the age he has already given, and he did not sign because he said he did not know how to write. To all of which the Escribano attests. (Signed) Nicolas Forstall.

Testimony of the Negro, Francisco.

In the city of New Orleans, March 11, 1785, Nicolas Forstall, Alcalde Ordinario for His Majesty for this city, went to the Royal Prison where he caused to appear before him, Francisco, Antonio Dejan's slave, to whom, His Honor, through the Escribano, administered oath, which he took by God, Our Lord, and a Sign of the Cross, under charge of which he promised to speak the truth, and when questioned upon the statement given by Felipe, he answered it is true that he sold him a vest and a pair of trousers, and having been shown these articles by Miguel Hero, who was present, he said the vest is the same, but not the trousers. He answered that what he has stated is the truth, under charge of his oath, and that he is 28 years old. He did not sign because he did not know how. His Honor signed, together with the Escribano, who attests that the witness added, under the same oath, that the rest of the clothes that were found in the possession of Mrs. Carrière's negro, when shown to him, were the same that he, the witness, had sold to him. Dated as above.

A second declaration.

In the city of New Orleans, on March 12, 1785, Nicolas Forstall went to the Royal Prison where he caused to appear before him, Mrs. Carrière's slave (space left for the name), to whom His Honor, through the Escribano, administered oath, under charge of which he promised to speak the truth, and when examined upon the tenor of Francisco's declaration, he said it is true that he sold Francisco several pieces of clothing that he had bought from the free Negro named (space left for the name), but he does not know his whereabouts; and when different articles of clothing were shown him by Miguel Hero, he said that he recognized all of them because he had had them in his possession, with the exception of the bleached trousers. He answered that what he has stated is the truth, under charge of his oath, he is 36 years of age, and he did not sign because he does not know how. His Honor signed, to which the Escribano attests. (Signed) Nicolas Forstall.

Decree.

New Orleans, March 14, 1785, in order to find out the truth, let the three Negroes, Felipe, Francisco and Mrs. Carrière's slave, confront each other, and place the stolen clothes before them for this purpose.

Confrontation.

In the city of New Orleans, March 14, 1785, Alcalde Nicolas Forstall went to the Royal Prison where he caused to appear before him, the free Negro, Felipe, Mr. Dejan's Francisco and Mrs. Carrière's slave, name not given. His Honor administered oath, through the Escribano, under charge of which they promised to speak the truth, and placing the stolen clothes before them, Mrs. Carrière's slave said that all the clothes here present had been in his possession, except the bleached trousers, which

Felipe stated he bought from Francisco, and the latter answered that these were not the trousers he had sold; and all affirmed what they had said, under their respective oaths. They did not sign because they did not know how to write. His Honor signed, to which the Escribano attests.

Decree.

New Orleans, March 16, 1785.

Let the free Negro, Felipe, declare what property he owns, and done, a decree will be rendered.

Felipe's declaration.

In the city of New Orleans, on the said day, month and year, Nicolas Forstall went to the Royal Prison where he caused Felipe to appear before him, and having administered oath, through the Escribano, the witness declared that in the Post of La Fourche, he owned 13 pigs; 11 were in the care of Mr. Seben's Negro, one was at Mr. Moler's house, in his slave's keeping, and he did not remember where the other two were. Of these thirteen, eight have young, each one worth from 4 to 6 reales, the others from 16 to 18 pesos, and that Mr. Judice owes him 26 pesos, Mr. Choven 17½ pesos, and he also has a little rice at Pedro Angel's house and 32 pesos deposited with the Warden of the prison. This is the truth, under his oath, he is of the age already declared, and he did not sign. To all of which the Escribano attests.

Sentence.

In the city of New Orleans, on April 8, 1785, Nicolas Forstall,

Regidor Perpetuo and Alcalde Ordinario for this city and its jurisdiction, having examined these records, said: That the crime of robbery has been proven against the Negro, Felipe, who forced open the door of Miguel Hero's room and broke into his chests and stole his clothes, as has been made evident by the bleached trousers found in his possession, whereas he has not been able to prove from whom he obtained them, although they were one of the articles stolen from the chest. Therefore, in order to avoid waste of time and increasing costs, drawing up petitions and other legal formalities that are required for the passing of the definitive sentence, His Honor's investigation alone is sufficient, who decrees that he must condemn and does condemn him to serve one year in the Fortress of this place, with rations and without wages, and to the payment of the costs of these proceedings, that must be taxed by Luis Lioteau, Public Taxer; the latter must accept and take oath in due form of law; said costs will be paid from the prisoner's property, and that with the help of Esteban Miro, Governor of this Province, a despatch will be issued and sent to the Commander of the Post of La Fourche so that the property belonging to Felipe, there, may be collected together and sold, and the product of same remitted to this Court. This is His Honor's decree, thus he has ordered and signed, to which the Escribano attests. (Signed) Nicolas Forstall.

Decree.

bano for the Government.

As it is prayed. (Signed) Miro,
before Fernando Rodriguez, Escri-

Note.

been issued. New Orleans, June 14, 1785.

The Escribano attests that the
despatch which was ordered has

Certification.

Miguel Hero against the Negro, Felipe, for having stolen some
clothes, belonging to him, to which the Escribano refers, and in
fulfillment of the order of the Judge of Residence in such matters,
he has drawn up and did draw up the present copy in New Or-
leans, July 18, 1802. Cross and Flourish. (Signed) Pedro Pedes-
claux, Notary Public.

This copy conforms to its ori-
ginal in the suit prosecuted by

Note.

New Orleans, July 18, 1802. (Signed) Pedesclaux, Notary.

The originals were registered in
the Royal Audience of the District.

February 12.

The plaintiff files a statement,
written in French, which reads:

Incidents.

**Santiago Le Duc vs. the
Succession of the late Fran-
cisca Plazan, to collect a
debt for professional
services.**

{ 1779 } The succession of the
{ 1780 } Senior Mrs. Prevost
{ 1781 } owes the sum of three
{ 1782 } hundred and twelve piastres, and a half (312
piastres 4 escalins) for
treatment of illnesses,
medicines, operations,
dressing of wounds,
salves, confinements, vis-
its, etc., made and fur-
nished to the household
of the said deceased, on
account, from January
18, 1779, until April 23,
1782. New Orleans, Feb-
ruary 3, 1785. The pres-
ent bill, more in detail,
has already been pre-
sented, over a year ago,
to Mr. Mercier, Executor
of the said succession,
which has remained un-
paid up to today, the said
Mr. Mercier having pro-
mised to go to Dr. Le
Duc's house to arrange a
settlement with him,

No. 140. 51 pp.

Court of Alcalde
Nicolas Forstall.

Assessor, Juan del Postigo.

Escribano, Rafael Perdomo.

This lengthy proceeding, occasioned by
the attempt of an eminent New Orleans
physician and surgeon to collect from
the Testamentary Executor of a suc-
cession a bill due for professional ser-
vices rendered to the deceased and her
family over a period of some four years,
contains some interesting items for the
student of Spanish Louisiana legal his-
tory. When the Executor protested the
bill, the books of the physician were
ordered inspected by two other eminent
physicians and surgeons, in order to
determine the justice of the bill pre-
sented by the plaintiff. They reported
that the bill was exceedingly modest for
the services rendered and the medicines
supplied; but even then the Executor

still protested the bill and tried to persuade the plaintiff to accept a lesser amount in full settlement. The plaintiff then presented a bill against the said Executor for professional services rendered to him personally and his family. The defendant then tried to get the two bills combined and to settle both at a discount. Finally, the Court orders said Executor to pay a sum somewhat less than that claimed by plaintiff, from the funds of the succession; but no settlement of the personal account of the Executor with the physician appears in the record.

The accounts presented by the physician read like a history of the medical profession in New Orleans at that date. The physician treated the white and Negro members of the household without any distinction. The chief diseases and complaints mentioned are: itch, intermittent fever, congestive fever, pleurisy, flux, sore throat, worms, eye troubles, convulsions, catarrh, erysipelas, colic, hernia, ringworm, inflammatory syphilitic fever, miscarriages, confinements, and pain in the neck. Accidents treated were: lacerations, abscesses, fall from an ox, contusions, sore leg, bites, cuts of leg and foot by hatchet and axe, dislocated arm, wounds in hand from broken glass, and orange seed in ear of a child. Common remedies were: bleeding, blistering, purging, poultices, and extraction of teeth. All the usual drugs prescribed for various ailments are listed in detail in the itemized bill of the plaintiff physician and surgeon.

which he has not done. The plaintiff certifies that the present is a true statement. (Signed) Le Duc. Written across the back: The Succession of Madame Prevost, 312 piastres and a half.

Dr. Le Duc petitions to have his bill examined by the Medical Faculty.

Dr. Le Duc, Surgeon of this city, in the suit filed against the Succession of Francisca Plazan, etc., sets forth that during the illness of the deceased, he supplied her, as well as others of her household, with medicines and medical services, as may be noted from the bill which duly accompanies this petition, the full amount being 312 pesos 4 reales, and although he has reminded John Bautista Mercier, Testamentary Executor and Guardian of the estate, many times to pay this debt, he has not done so, therefore he prays the Court to order his bill examined by members of the Medical Faculty, that it may please His Honor to name, so that by this means Mr. Mercier may be informed of the justice of his claim and consent to the payment of the bill. Alcalde Forstall decrees: The bill having been presented, let Josef Montegut, Surgeon of the Royal Hospital of this place, and Dr. Roberto Dow, be named to revise and adjust the said bill; these Doctors must be notified for their acceptations and oaths, and done, bring their depositions to the Court.

Acceptation and oath.

On the said day, month and year (February 12, 1785), the Escribano personally notified Dr. Roberto Dow of his appointment by the foregoing decree, and upon being informed of the contents, he said he accepted and did accept, and he took oath by God and the Holy Cross, according to law, to fulfill the duties

of his charge, well and faithfully, without injury to the parties, and he signed, to which the Escribano attests. (Signed) Robert Dow, before Rafael Perdomo, Clerk of the Court.

Dr. Robert Dow's deposition.

In the city of New Orleans, on February 17, 1785, the Escribano, pursuant to the foregoing decree, went to Dr. Roberto Dow's house for the purpose of adjusting the said account, as he has been ordered to do by the foregoing decree, and when the bill, that is filed on page 1, was placed on manifest, after examining it attentively, he declared that he could not form a judgment upon the said bill, without having seen Dr. Santiago Le Duc's books of accounts, which must carry the entries for medicines and services supplied and rendered to the infirm of Mrs. Francisca Plazan's house. He asked to have the above set down as his answer, which he signed, as attested to by the Escribano. (Signed) Dr. Robert Dow, before Rafael Perdomo.

Notification, acceptation and oath of Dr. Josef Montegut.

In the city of New Orleans, on the said day, month and year (February 17, 1785), in fulfillment of the foregoing decree, the Escribano went to the dwelling house of Dr. Josef Montegut, Surgeon of the Royal Hospital of this place, to notify him to examine and adjust the bill that has been placed on manifest, and upon seeing it he declared that he concurred in all that Dr. Roberto Dow had stated, and he asked to have this set down as his answer, which he signed, as attested to by the Escribano. (Signed) Josef Montegut, before Rafael Perdomo.

Drs. Dow and Montegut make an examination and render an opinion.

In the city of New Orleans, on February 19, 1785, before the Escribano and witnesses, appeared Drs. Roberto Dow and Josef Montegut, and they said that, pursuant to the foregoing decree, they went to examine the accounts mentioned therein, as members of the Faculty, versed in the Science of Surgery, and after having examined the bill attentively, as they have been requested, they have found it just and moderate in all its entries; in fact it should have amounted to a much larger sum than he has demanded, according to the copy that has been shown them. Both Doctors asked the Escribano to set this down as their answer, which they signed, the witnesses, here present, being Francisco Carcasses and Manuel Monrroy. (Signed) Joseph Montegut; Robert Dow; before Rafael Perdomo, Clerk of the Court.

Dr. Le Duc's Itemized Statement.
This entry is evidently the pages taken
from Dr. Le Duc's Account Book and is
filed after the bill which appears later
in the Proceeding.—L. L. P.

{ 1779 } The Succession of Mrs.
{ 1780 } Prevost owes what fol-
{ 1781 } lows, namely:
{ and }
{ 1782 }

Piastres-reales- $\frac{1}{2}$

January 18, Began to visit (the Negro) Versailles to dress a laceration of the eye, once a day up to the 22nd of the said month, and for salve.....	3	
January 19, Began to visit Venus, for fever, twice a day up to the 24th of same.....	5	
January 20, Salt of Prunella, for the same, one-half ounce		2
An emetic and a sudorific for the same....		4
January 24, Extracted a tooth for the same		4
January 26, Began to visit Colas, a Negro, for pleurisy and continued to visit him twice a day up to the 30th of the said month.....	2	
A handful of Swiss vulnerary.....		2
January 27, Visited Manon, a Negress, for flux, 2 grams of salt of nitre.....		5
January 28, Applied a large blistering plaster on the side of Colas, Negro mentioned above	4	4
$\frac{1}{2}$ ounce of salt of nitre for the afore- said Negress, Manon.....		2
January 29, Kermes prepared for the aforenamed Negro, Colas.....		4
January 31, Purged the same.....	1	
4 ounces of basilicon salve for the afore- said Colas' stomach for his blisters.....	2	
February 1, Purged the abovesaid ne- gress, Manon	1	
1 dose of theriaca for the same.....		2
This day finished the visits to Venus, begun January 26th (January 19th?).....	3	
February 2, Began to visit the Negress, Nanet, for considerable congestion, with fever, and lanced an abscess on the breast of this slave, continued to visit her twice a day up to the 18th of the month.....	16	
February 9, Purged the same.....	1	
February 10, 4 doses of quinine for the same		4

	Piastres—reales— $\frac{1}{2}$
February 11, The same for the same.....	4
$\frac{1}{2}$ an ounce of semen-contra for the same	2
1 bowl of mineral aethiops prepared for the same.....	2
$\frac{1}{2}$ ounce of salt of nitre and absenthe together for the same.....	2
February 12, 4 doses of quinine for the same	4
February 13, The same for the same.....	4
February 18, One bottle of vegetal-min- eral water of lead.....	4
From this day continued the treatment of the same, once a day, and finished the follow- ing March 4th.....	7 4
February 20, Visited Marion, Cupid's wife, on Mrs. Prevost's order, for sore throat, cleansing gargle, prepared $\frac{1}{2}$ flask for same..	4
February 21, Purged the Negress, Nanet's child	6
And from this day visited the same for fever, worms and itch, once a day, visits con- tinued until the following March 5th.....	6
February 22, Semen-contra, $\frac{1}{2}$ ounce, for Nanet's child	2
Began to visit a Negress named Fan- chonnet, daily, once a day, for 12 days, to treat itch	6
4 ounces of citrine pomade for the same	2
February 23, One ounce of cochlearia for Miss Manet Fontenelle's mouth.....	2
February 24, Six doses of powdered sul- phur for Fanchonette, the aforesaid Negress..	6
February 26, Purged the same.....	1
Six doses of powdered sulphur prepared for the Negress, Jeanne.....	6
And continued to treat the same for itch, visited her once a day for ten days, also treated her child, suffering from itch.....	5
February 28, One 2 ounce package of cleansing dissolvent for the treatment of Jeanne's eyes	4
Applied a blister behind the ear of the same	4

	Piastres-reales- $\frac{1}{2}$	
4 ounces of basilicon salve for the ear of the same	2	
March 1, Purged the Negress, Jeanne....	1	
Purged a child of the same.....		6
2 ounces of citrine pomade.....	1	
March 4, Purged the Negress, Nanette....	1	
March 5, 2 ounces of citrine pomade for the Negress, Jeanne.....	1	
Finished the daily treatment of the ear begun on February 28th, and also for the Negress, Jeanne's, eyes.....	2	4
$\frac{1}{2}$ bottle of water of lead prepared for the Negress, Fanchonette, for itch.....		4
March 7, Purged the Negress, Jeanne....	1	
Purged a child of the same.....		4
March 9, Visited the Negro, Francois, for fever and flux and continued once a day until the 16th of the said month.....	4	4
Camomile for the same.....		4
$\frac{1}{2}$ ounce salt of nitre for the same.....		2
March 13, Purged the same.....	1	
Purged the abovesaid Negress, Fanchonette	1	
$\frac{1}{2}$ bottle of sugar of lead, prepared for Jeanne		4
Assisted at the miscarriage of the Mulatress, Magdelon	4	
And continued to visit her, once a day, up to the 22nd of the same month.....	4	
March 14, $\frac{1}{2}$ ounce of wild red poppy for the same		2
March 15, 1 ounce of salve for itch prepared for Jeanne		4
March 16, Purged the Negress, Marion, wife of Cupidon	1	
Purged the Negress, Jeanne.....	1	
March 18, Purged the same.....	1	
March 22, Prepared a vial of cleansing gargle for the Negress, Marion.....		4
4 ounces of citrine pomade for the Negress, Jeanne, Fanchonette and the children....	2	
April 4, Blister applied to Magdalon.....	1	

Piastres—reales—1½

And continued to visit the same for treatment of the blister, six times until the 9th of the month.....	3	
April 5, Purged the same.....	1	
Finished the visits, begun February 21, for all suffering from itch, six visits to each one, namely: Nanet and her child, Fanchonnet, Jeanne and her child, 5 patients.....	16	
April 7, ½ ounce of Spanish licorice for same		2
4 ounces of basilicum salve and one ounce of strong arcanum for treatment of blisters....	2	
April 8, Spanish licorice for the same.....		2
April 10, Bled the same twice.....	1	
One handful of Swiss vulnerary for the same		2
April 12, Bled the same three times.....		4
½ ounce package of astringent for the Negro, Augustin's eye.....		6
April 17, 4 ounces of marsh-mallow and camphire salve for embrocation for Magdelon	1	2
Visited Noel, son of Venus, up to the 23rd of the said month, 2 and 3 times a day.....	3	
April 18, Purged the same.....	1	
April 19, 2 ounces of marsh-mallow camp-phire salve for Magdelon.....		5
April 23, The same for the same.....		5
May 1, Purged Magdelon.....	1	
Purged Noel, son of Venus.....	1	
May 7, Purged Tonton's child.....		4
May 9, 4 ounces of sarsaparilla for Magdelon, visited her for itch.....		4
May 11, Extracted a tooth for the Negress, Fanchonnette's child		4
May 13, Purged the Negress, Jeanne's Child		6
And visited same for an attack of convulsions, once and twice a day, up to the 20th of the said month.....	3	4
June 3, Visited the Negress, Helene's child for fever, once and twice a day, up to the 9th of the said month.....	3	
June 5, Purged the same.....		4

Piastres—reales— $\frac{1}{2}$

From this day, visited Nanet's child for convulsions, and continued once a day and sometimes three times a day up to the 10th of the said month.....	2	4
Portion of antivenereal emetic for same..		4
6 portions of antispasmodic, one ounce, for the same.....		4
June 7, Visited the Negress, Manon, for itch which had broken out all over her body, with a cough, up to the 29th.....	6	4
June 8, $\frac{1}{2}$ gram of blistering powder for the Negress, Louise's eyes.....		1
June 11, Bled the Negro, Francisco.....		4
1 dose of Swiss vulnerary for the same....		2
June 20, Purged the abovesaid Negress, Manon	1	
4 ounce of citrine pomade for itch for the same	2	
6 doses of powdered sulphur for the same		6
1 dose of theriaca with aethiops for Nanet's child		2
June 21, Visited Tonton's child for fever and convulsions and continued once and twice a day up to the 27th of this month, treating same	3	
One ounce portion of antispasmodic for the same		4
June 22, Purged the same.....		4
One ounce of crystal mineral salt and Glauber's salt for the same.....		4
July 4, Extracted a tooth for the Negress, Helene		4
July 8, One gram of camphire for the Negress, Marie, for a pain in the neck.....		1
One ounce of cochlearia for Miss Manette Fontenet		2
July 9, Visited Mrs. Prevost for a fall, once and twice a day, until the 15th of the said month	3	
Half a handful of Swiss vulnerary for the same		2
July 10, Visited the Negress, Marie, at Mr. Trudeau's house for catarrh, once and twice a day until the 23rd of the same month..	6	4

	Piastres—reales— $\frac{1}{2}$	
$\frac{1}{2}$ ounce of camomile, Swiss vulnerary and wild red poppy for the same.....	2	
July 11, Extracted a tooth for the Negro, Colas	4	
July 14, Bled Magdelon for a fall from an ox (chute de boeuf ?).....	4	
Swiss vulnerary for the same.....	2	
July 21, Visited Mrs. Prevost, once and twice a day, for erysipelas, up to the 29th of said month	4	
July 23, $\frac{1}{2}$ gram of salt of nitre for the same	1	
July 29, $\frac{1}{2}$ ounce of absorbant powder, febrifuge, tempering for Tonton's child.....	4	
August 2, Visited Mrs. Fontenel's grand- daughter, for fever, once a day until the 4th of the said month, 2 grams of salt of prunela prepared	6	2
2 grams salt of nitre for the younger Miss Fontenelle	1	
August 3, Visited Venus once a day, for fever, until the 9th of the said month.....	3	
$\frac{1}{2}$ ounce of salt of nitre for the same.....	2	
Visited the Negress, Louise, for fever, once a day up to the 13th of the same month....	4	
2 grams of salt of nitre for the same.....	1	
Also visited Colas, from this day, for fever, up to the 14th of the said month.....	6	
1 ounce of salt of prunela and salt of nitre	4	
August 4, Purged the abovesaid Miss Fontenel	1	
August 5, Purged the Negro, Colas.....	1	
August 6, Purged the Mulatto, Valentin....	1	
$\frac{1}{2}$ ounce of extract of lead for Mrs. Fontenel	2	
August 9, Visited Miss Marette Fonten- elle for fever, once and twice a day, up to the 20th of the same month.....	5	4
1 gram of salt of prunela for the same.....	5	4
August 13, Purged the same.....	1	
Purged the Negress, Manon.....	1	
August 14, Purged the Negress, Fanchon- nette	1	

	Piastres-reales-1½	
Purged the Negro, Jean Louis.....	1	
½ ounce of cleansing lotion for the younger Miss Fontenelle's mouth.....		6
August 20, Visited Mrs. Prevost, once and twice a day, for fever and colic, until the 20th of the following September.....	10	
August 31, 1 ounce of cochlearia for Miss Nanette Fontenel		2
September 3, Purged the last child of Nanette, the Negress.....		6
September 4, Purged the Negress, Tonton	1	
September 10, Purged the same.....	1	
Purged the Negress, Nanette's elder child		6
½ ounce of cleansing lotion for the younger Miss Fontenelle's mouth.....		2
September 11, Purged the Mulatto, Val- entin	1	
4 doses of quinine for the same.....		4
September 12, Purged the last child of Negress, Nanette.....		6
September 13, 2 grams of semen-contra for the same.....		2
September 14, 4 ounces of cassia and one of salt of prunela for Valentin.....		4
September 18, Purged the Negress, Manon	1	
September 20, 3 ounces of citrine pomade for itch, for same.....	1	4
September 28, Bled the Mulattress, Venus		4
October 4, Purged the same.....	1	
1 ounce of cochlearia for Miss Manette Fontenel		2
October 15, Purged the Mulatto, Valentin	1	
Purged Manon.....	1	
October 20, Purged the Negro, Francois..	1	
Cassia, tamarind and Glauber's salt pre- pared for Valentin.....	1	
October 23, Purged the Negro, Francois	1	
November 5, Visited Henrietta's child, for fever, at Mr. Beluche's home, once a day up to the 10th of the month.....	2	4
November 6, Portion of antivenereal and vomitif for the same.....		6

	Piastres-reales-1½	
1 bowl of diascordium for the same.....	2	
November 8, Purged the Mulattress, Vallery	6	
November 14, 1 ounce of semen-contra for Helene's child.....	2	
3 treatments given the leg of Noel, son of Venus	1	4
November 17, Purged the Negro, Jean Louis	1	
Finished with all the sick people men- tioned above, whose treatment had begun on September 13, such as Valentin, Tonton's child, Nanet, the Negro Francois, Mulattress Vallery, Helene's child and the Negro Jean Louis	30	
1780		
January 31, Visited Henriette's child, at Mr. Beluche's house, once a day, up to Feb- ruary 7th	3	4
Bowl of vermifuge for the same.....		2
February 1, Purged the same.....		6
1 ounce of camomile and melilot for the same		4
February 3, Cornelian prepared with a dose of theriac for the same.....		2
March 2, Extracted a tooth for the Negress, Victoire		4
Visited Magdelon 12 times for itch.....	6	
March 3, 5 does of powdered sulphur pre- pared for the same.....		5
1 bowl of dissolvent sudorific for the same		2
March 24, ½ ounce of cleansing lotion for Noel's mouth.....		4
March 26, Began to visit Marly for in- flammatory syphilitic fever, once and twice a day, up to April 10th.....	7	4
Bled the same.....		4
1 ounce of crystal-mineral salt.....		2
March 27, 4 ounces of cassia prepared for the same.....		4
March 30, Purged the same.....	1	
April 1, 2 ounces of citrine pomade for Magdelon	1	

	Piastres-reales-1½	
April 7, Purged Marly.....	1	
April 9, Purged the Negress, Manon.....	1	
May 10, Extracted a tooth for Fanchonnette		4
June 20, Furnished a hernia bandage for Louise's child	3	
July 14, 2 grams of salve, and dosed the Negress, Helene, twice.....	1	2
July 15, Visited Mrs. Prevost, for fever, once a day up to the 25th of the said month....	5	
July 16, 1 ounce of creme of tartar and salt of prunela for the same.....		2
July 17, Purged the same.....	1	
July 22, Purged the same.....	1	
July 25, Purged a daughter of the Negress, Tonton		6
August 2, Visited a child of the Negress, Jeanne, for worms, once a day, 8 times, up to the 21st of the month.....	9	
Treated Venus's foot, twice, for a bite....	1	
August 3, Purged the Negress, Jeanne's child		6
August 5, 1 bowl of mercury for the same		2
August 6, Purged the same.....		6
August 8, Began to treat the Negro, Francois' leg, for a cut from a hatchet, once a day until the 30th of the same month.....	11	
August 21, Purged the Negress, Jeanne's child		6
August 25, Confined the Mulattress, Magdelon	6	
August 26, Purged the child of the above-said		4
September 2, Purged Tonton's daughter..		6
From this day continued to visit the same, once a day, until the 29th of the said month....	7	4
September 8, Purged the same.....		6
September 11, Purged the same.....		6
September 20, 1 stick of cassia for the same		1
September 21, Treated the Negro, Francois' foot, for a cut from an axe, once a day up to the 30th of the said month.....	4	4

	Piastres-reales-1½	
September 22, 2 grams of semen-contra and rhubarb for Tonton's child.....		2
September 29, The same for the same.....		2
October 2, Purged the same.....		6
October 14, Purged Magdelon's last child		4
November 15, Purged the same, Mag- delon's son		4
Purged Magdelon, the mother of the said child	1	
November 17, Visited Helene, that is to say her child, once a day until December 8th	10	
1 bowl of anodyne for the same.....		2
November 18, Purged the same.....		4
½ ounce of oriental safron for the same..		4
November 30, Visited the Negress, Jeanne, for confinement up to the 7th of De- cember	3	4
Applied and treated a large blister, on the Negress, Nanette's side, up to December 7th	3	4
December 1, Purged the infant born to Jeanne, mentioned above		4
December 8, Extracted a tooth for the Negress, Louise		4
1781		
January 9, Purged Louise's son.....		6
February 19, Purged the same.....		6
2 grams of moderate absorbant powder for the same		2
March 14, Visited the Negress, Helene twice	1	
Bled the same.....		4
April 3, Purged Louise's child.....		6
½ ounce of magnesia prepared for same		4
April 11, ½ ounce of magnesia prepared for Louise's son		4
April 14, 1 stick of cassia for the same....		1
April 17, Crude antimony prepared for a sachet of drugs, 1 ounce, for the same.....		2
April 18, ½ gram of aethiops prepared in small doses for the same.....		2
April 28, Purged the same.....		6

Piastres-reales- $\frac{1}{2}$

May 4, Visited the same for convulsions, and a one ounce portion of antispasmodic given to same.....	1	
May 5, The same for the same.....		4
1 gram of antimony diaphoretic in a small dose		2
May 8, Purged the same.....		6
May 12, Finished visits to the same, once and twice a day, begun on April 4th.....	19	
May 21, Visited Madame (Prevost) once a day, up to the 29th of the same month.....	4	
May 22, 2 sticks of cassia for the same....		2
$\frac{1}{2}$ ounce of creme of tartar for the same		2
July 13, Applied a blister to Nanet's side and continued to visit and treat her 12 times	6	4
July 17, Purged the same.....	1	
July 27, Visited the Negress, Helene, and 1 ounce of Glauber's salt and salt of prunela....	1	
August 1, Visited Marly for fever, and $\frac{1}{2}$ ounce of sugar of lead.....		2
August 2, Made several visits for reduction of a dislocation on the arm, as well as the foot of the same.....	1	
Purged the same.....	1	
August 3, Visited several house slaves 4 times and the children of the said domestics for fever.....	2	
August 7, Purged Marly.....	1	
August 9, 1 gram of salt of prunela for the same.....		$\frac{1}{2}$
Purged Louise's son.....		6
August 14, Visited a Negro, blind in one eye, 4 times for fever.....	2	
August 16, Purged Valentin.....	1	
Purged the Negro, Jean Louis.....	1	
August 18, Purged Marly.....	1	
August 23, Assisted at the confinement and delivery of Helene.....	4	
August 24, Purged the infant son born of the same.....		4
August 26, Blistered the leg of Louise's son	1	

	Piastres-reales-1½	
Creme of tartar and Glauber's salt, 1 ounce, for the same.....		4
August 27, Purged the Negro, Francois	1	
August 28, ½ ounce of vegetal salt and creme of tartar, for Louise's son.....		2
Finished visits to all begun July 13th, namely: Nanette, Helene, Marly, Louise's son, the one eyed man, Valentin, Jean Louis and Francois	22	
September 2, Purged Magdelon's older son		6
1 dose of theriaca for the same.....		1
1782		
January 4, Visited Madame 12 times, up to her death.....	6	
January 11, Bled the Negress, Jeanne, at Mr. Lafond's house.....		4
January 18, Extracted broken glass from Venus' hand and treated her twice, and salve for treatment.....	1	1
February 3, Bled the Negress, Victoire for a miscarriage.....		4
Swiss vulnerary for the same.....		2
February 19, Visited Manon, camomile and vulnerary.....		6
March 12, Visited Helene's child for colic, twice	1	
Camomile for the same.....		2
March 14, Purged the same.....		6
March 30, Visited the Negress, Jeanne, 5 times, following confinement, up to April 5th	3	
April 1, Purged the infant born of the Negress, Jeanne.....		4
April 21, Extracted a tooth for the Negro, Jean Louis.....		4
April 23, Extracted a tooth for Miss Manette Fontenelle.....	1	
	400	7 ½

I certify that the present itemized statement is correct, New Orleans, February 16, 1785. (Signed) Le Duc.

Decree.

Whereas: Notify Juan Bautista Mercier, Testamentary Executor of the estate of Francisca Plazan, now deceased, to pay Santiago Le Duc, within 15 days, the sum of 400 pesos 7 reales, in accordance with the adjustment made by Doctors Joseph Montegut and Roberto Dow, for medicines and professional services rendered to the aforesaid Francisca Plazan and all of her family, during the years 1779, 1780, 1781 and 1782, after an examination of Dr. Le Duc's account book for this purpose, as they were requested. A copy of this adjustment made by the aforementioned Members of the Medical Faculty was delivered to the Escribano and has been filed with these proceedings. (Signed) Nicolas Forstall.

Proceedings for notification.

On the said day, the Escribano went to Juan Bautista Mercier's house to notify him of the foregoing decree and was informed by a servant that Mr. Mercier resides on his plantation, and in testimony whereof he sets this down as a matter of record, to which the Escribano attests. (Signed) Perdomo.

Notification.

In New Orleans, on April 6th of the said year, the Escribano personally notified Juan Bautista Mercier of the foregoing decree.

Juan B. Mercier petitions to have the foregoing decree revoked.

A marginal note signed by the Escribano, reads: Presented before me by this party at half past three in the afternoon of the day of date, New Orleans on the 6th of April of the year one thousand seven hundred and eighty-five, to which the Escribano attests. (Signed) Perdomo.

The petition reads: Juan B. Mercier, resident of this city, by means of a Public Attorney (Pedro Bertoniére), in the suit prosecuted against him by Santiago Le Duc to collect a debt, said that he has been notified of His Honor's decree ordering him to pay the stipulated amount, and whereas this decree is exceedingly prejudicial to him (speaking with due respect), therefore he prays the Court to revoke, substitute, or amend it, by a contrary command, as may have more place in law, and order the records of the case delivered to him to enforce his petition. Alcalde Forstall orders the records delivered to the petitioner in due form.

Notification.

On the said day, the Escribano went to Juan Bautista Mercier's house to notify him of the foregoing decree and was informed by a lady there that he is on his plantation, and in testimony whereof the above is set down as a matter of record. (Signed) Perdomo.

Second copy of Dr. Le Duc's bill.

Filed here is a second copy of Dr. Le Duc's itemized statement of accounts without specifying amounts and with several entries left out which lowers the bill to 312 pesos 4 reales, and is dated

in New Orleans, August 20, 1782. (Signed) Le Duc. Attached to it is an itemized statement of a bill, without stipulating the amounts due, owed by Mr. Mercier, which reads:

{	1779	Mr. Mercier owes what follows, namely:
	1780	1779,
	1781	September 1, Began to visit a little mulattress,
	1782	daughter of Francoise, for intermittent fever.
	and	September 2, Cassia, salt of nitre and Glauber's
{	1783	salt for the same.
		September 6, Bled Madame.
		September 7, From this day visited the Negress,
		Suzanne, for fever.

Salt of prunela for same.

September 9, Purged same.

September 10, Began to visit Madame for fever, double tertian.

Crystal mineral salt and salt of nitre for the same.

September 11, Extracted a tooth for Monsieur.

September 13, Purged Madame.

September 14, 1 ounce of quinine prepared with the eyes of a crayfish for the same.

September 15, Salt of prunela and creme of tartar for the same.

September 16, 2 sticks of cassia for the same.

September 17, The same for the same.

September 24, Bled Madame.

September 28, Salt of nitre for the same.

October 1, Purged Marianne, daughter of the Negress, Francoise.

October 11, Salt of nitre and Glauber's salt for Madame.

October 18, 1/2 ounce of quinine prepared as above for Madame.

October 19, 1 dose of theriaca for Francoise's child.

October 20, One ounce of Glauber's salt for Madame.

October 24, Finished visits to the same, made once and twice a day.

October 26, Finished visits to Francoise's child, made once and twice a day.

1780

January 25, Visited Monsieur's younger daughter.

January 27, A bowl of aethiops prepared with antivermifuge for the same.

January 28, Camomile for the same.

January 30, Purged the infant child born to Madame.

January 31, Visited Tonton's child for fever and colic at Mr. Guignan's house.

Camomile and salt of absinthe for the same and one dose of theriaca.

February 12, Cossaline (?) salt of nitre, semen-contra with crayfish eyes.

February 26, Rhubarb prepared for Monsieur's children.

March 26, Extracted tooth for Monsieur.

April 14, Purged Madame.

April 19, Rhubarb for Monsieur's children, as above with semen-contra.

April 20, Cleansing and dissolvent gargle for Madame prepared for eugenics.

$\frac{1}{2}$ ounce of theriaca prepared in a plaster for the stomach of a child in the house.

April 22, Finished the visits, made once a day, to all the sick people, etc.

May 26, Visited Monsieur's elder daughter for a considerable irruption all over her body.

May 27, Several packages of powdered sulphur prepared for the same.

May 28, 2 ounces of pomade for rubbing purposes for the same.

July 8, 2 ounces of sarsaparilla for the same.

From this day visited Francoise's child once a day.

July 17, 2 ounces of pomade prepared for rubbing Monsieur's children.

August 2, Purged Francoise's child.

August 3, Purged Monsieur's older daughter.

August 9, Purged Monsieur's second daughter.

From this day finished all the visits made once a day.

August 29, Salve and spice plaster for the house.

September 30, Visited Madame for fever.

2 doses of quinine for the same.

December 26, Began to treat the Negress, Isabel's hand, for a very serious wound, once a day.

December 28, Bled the same.

Continued from this day to treat the same, twice a day.

1781

January 12, Continued to treat the same once a day.

5 ounces of thin salve to treat the same.

2 ounces of arcanum balm to treat same.

January 27, Finished treating the Negress, Isabel.

February 22, One bottle of vegetal-mineral water for the same for her hand.

April 3, Purged the older daughter of Monsieur.

May 26, Visited the same for a skinned lip, inside of the mouth, with several treatments.

August 6, Extracted a tooth for the elder young lady.

August 10, $\frac{1}{2}$ ounce of crystal mineral (salt) sent to Monsieur's plantation.

August 13, Visited Monsieur for fever several times without counting them because of friendship and there being a charge here, I said the word.

August 16, One ounce of Glauber's salt for Monsieur.

August 30, Extracted a foreign body, an orange seed, from the ear of a daughter of the said Monsieur.

September 11, $\frac{1}{2}$ ounce of salt of nitre.

September 16, Salve and spice plaster for the house.

$\frac{1}{2}$ an ounce of salt of nitre for Monsieur.

December 28, A visit, a plaster and treatment once, for Monsieur's elder daughter, for contusion, with a treatment of the jaw, continued to visit her several times.

January 31, Salve for ringworms prepared for Monsieur's elder daughter.

June 3, Salve and spice plaster for Madame.

June 5, The same for the same, and $\frac{1}{2}$ ounce of arcanum balm for superation.

August 19, Spice salve for Miss Manette Fontenelle.

September 11, From this day visited Madame for her breast, fixed salt of tartar.

September 28, Visited the Negress, Victoire, at the Accountant's house.

Salt of nitre for the same.

September 29, Fixed salt of tartar for a poultice for Madame's breast.

Portion of sedative and hydragogue for Madame.

September 30, Bled same.

October 2, Portion of anodyne for the same.

October 6, The same for the same.

October 8, Bled Madame's foot.

October 12, Visited the Negro, Marly, once a day.

Salt of lead (lead acetate) for the same.

October 13, Visited the Negress, Victoire, once a day.

Salt of nitre for the same.

October 14, Purged Marly and visited Noel from this day.

October 15, Finished the visits, paid once a day to Marly.

October 16, Purged Venus' son, Noel.

October 18, Opened the abscess on Madame's breast and continued to visit her once a day.

October 20, Purged the Negress, Victoire.

1 dose of theriaca for Noel, Venus' son.

October 21, Portion of sedative for Madame.

October 22, Purged Madame and finished the visits paid once a day to Noel and Victoire.

October 26, Mercurial panacea for Monsieur, *gratis*.

November 4, 4 ounces of pure arcanum salve for treatment of Madame.

November 6, Portion of sedative for the same.

November 10, 2 ounces of pure arcanum salve for treatment of Madame.

And from this day continued to treat her once a day.

Portion of sedative for Madame.

November 16, The same for the same, and two ounces of arcanum salve.

November 26, The same for the same.

November 30, The same for the same.

December 8, The same for the same.

December 19, The same for the same, and stopped treatment, and left it to the slaves.

December 31, A sedative portion for the same.

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January 3, The same for the same.

January 4, The same for the same.

January 12, The same for the same.

February 22, Visited Victoire for sore throat and fever.

February 23, Salt of prunela for the same.

February 24, Purged the same.

February 25, Portion of anodyne for Madame, and finished the visits.

Total of one hundred and fifty-nine piastres, two escalins. 159 piastres 2 escalins. New Orleans, July 2, 1783. (Signed) Le Duc.

Juan B. Mercier petitions to have his opponent's claim disregarded.

Juan Bautista Mercier petitions, saying that at his request the records of the case have been delivered to him to enforce his demand, which reduced to plain terms is to pray the Court to disregard the plaintiff's pretensions and

condemn him to pay all costs of this proceeding, because it is just that he do so, for the following reasons:

There is no doubt but that Santiago Le Duc has used little accuracy in drawing up his accounts and his manner of setting them down in his cash book, then sending a bill to the late Mrs. Prevost's succession and another to him; the collection of the latter would not have met with the slightest difficulty, since he has never eluded payment of his debts. But what could have been the plaintiff's motive in this transaction, to present nothing more than a note, dated August 20, 1782, without specifying amounts, or prices of what he had supplied to Mrs. Prevost's house during three years. He simply states that the bill is for medicines and services included, totaling 312 pesos 4 reales, and his own account, in the same terms, dated July 2, 1783, came to 159 pesos 2 reales, the two bills amounting to 471 pesos 6 reales. He offers objections to Santiago Le Duc's demand because he has acted badly in taking so long before presenting his bill to Mrs. Prevost, and having waited until after her death to render one for three years' services, he thinks this is not in due legal form, and besides this bill contains several charges for treatments given to one named Versailles, a free Negro, and his wife, Marion. These items should not be entered in it, or for that matter in Mr. Mercier's either. He further objects to other entries, which are not just, such as visits made to him personally, without including those made through friendship. These visits were never paid and he should not ask anything for them, consequently there should be no charges for visits that were not made.

But so as not to prolong this suit, and to put an end to all difficulties, he offered 300 pesos in payment for 471 pesos 6 reales that the plaintiff has asked for the full amount of the two bills, which he is not willing to accept, demanding 350 pesos for all indebtedness and today he presents himself, judicially, against the Prevost Succession to claim 400 pesos 7 reales. From this it is clearly evident that his books are badly kept, and consequently no credit should be given to them in Court. However, in spite of all this and the irregularities shown by the said account books, and also wishing to avoid the continuation of a lawsuit that can be no less than prejudicial to both because of inexcusable expenses that would result from further proceedings, he offered to deliver to him the said 300 pesos for the 471 pesos 6 reales he has asked for the full amount of the two bills, but when this offer was made, Mercier observed that Le Duc's claim before the Court, to be in conformity to the truth, must include only the said 150 pesos that he has requested from Mercier and has consented to receive from him in accordance with what has been related, in consideration of which and so as to conform to many legitimate reasons, as he has already

alleged, may it please His Honor to determine in accordance with what he has requested at the beginning of this written petition. Alcalde Forstall decrees:

Decree.

The bills that this party mentions, having been presented, let them be translated into the Castillian language by Juan Josef Duforest, Interpreter, who must be notified for his acceptance and oath, and done, send these translations to Santiago Le Duc.

Notification, acceptance and oath.

On the said day the Escribano notified Juan Josef Duforest, Public Interpreter, of the foregoing decree, and he said he accepted and did accept, and swore by God and the Cross, according to law, to proceed well and faithfully with the translation he has been ordered to make, and he signed, to which the Escribano attests.

Translation.

In the city of New Orleans, on April 15, 1785, Juan Josef Duforest, in virtue of the foregoing decree, made the translation, as ordered, in the following manner: The translation runs from the reverse side of page 29 to page 42 and is of the second bill filed, namely the one that does not carry an itemized statement of the amounts due for medicines and professional services.

Santiago Le Duc petitions for the confirmation of the decree rendered on page 14.

Santiago Le Duc, Surgeon and resident of this city, in the instance prosecuted against the estate of the late Francisca Plazan to collect a debt due for supplying medicines to all the members of her household and for necessary visits to the sick there, between the years '79 and '82, and everything else contested in the petition delivered to him which was presented by Juan Bautista Mercier, Testamentary Executor and Guardian of the estate left by the deceased, filed on page 26, prays that the Court, acting in strict terms of justice, be pleased to confirm the decree on page 14, in all its parts and to condemn the said estate to pay the amount stipulated and cost of the case because of the following reasons he will set forth:

It is true that he has brought suit to collect his fees from Mr. Mercier, as the latter declared in his written petition filed on page 26, wherein he pretends to have an interest in the preservation of the decedent's property, stating that the plaintiff has proceeded surreptitiously in waiting until after Mrs. Francisca Plazan's death to make his demand, without reflecting that she, because of her advanced age, had fallen into imbecility and was incapable of taking part in any transactions, or contracts, as expressly stipulated in the laws appertaining to such cases. Besides, it is customary in a Concursus, for the creditors to enter their claims after the death of the debtor, particularly when this

party is unfit to manage his own affairs. Therefore, he considered it in better form to wait until after Mrs. Prevost's death to request payment from her estate, as he now does, and although the Executor knows that this debt is just and that the deceased was not in full possession of her faculties, he is willing to subject Dr. Le Duc to his caprice, asking him to receive whatever his fancy might suggest and not the amount that is according to correct appraisement, as appears from the decree rendered on page 14, ordering the bill paid after the members of the Medical Faculty had examined Dr. Le Duc's books, running from page 6 to page 19, inclusive, alleging that legal action by the plaintiff was not taken in due time, as if there could be prescription because of the short interval between Mrs. Prevost's death and the day he presented himself against her succession.

Continuing his argument, he says the medicines supplied and the visits made to the free Negro, Versailles, and his wife, Marion, ought not to be included, perhaps because he does not think them subject to the direction of the deceased, but he has voluntarily erred, as he must know that the said Negroes had settled on her land and that it was by her express orders that he gave them medicines and visited them and on no other terms.

Following his corrupt manner of thinking, he says, concerning his own bill for 159 pesos 2 reales, that he objects to different items which are not fair, such as visits made to him personally and others through friendship, but omitted any sort of contestation because his iniquitous way of producing his evidence did not merit the trouble. If Mr. Mercier does not think Dr. Le Duc's statement of accounts has been justly made, there remained, as a recourse, to ask to have it examined by Members of the Medical Faculty, as was done with the bill rendered to the deceased, then he would see that the plaintiff had been most generous to him and that his caustic procedure made the Doctor's more than justified.

Seeing himself already defeated, in the last paragraph of his ingenious written petition, he sets forth that in order to shorten the suit and end all difficulties, he offered the plaintiff 300 pesos in payment for both bills, as if the latter were a very needy person who would be capable of making a sacrifice of 200, or 300 pesos, so as to receive the 300 he proposed as a remedy for the plaintiff's wants, and that Mercier, himself, would pocket the surplus, but he also acknowledges that the former refused the proposition he offered, as unreasonable and erroneous, and in odium of this most just opposition, alleges that because of irregularities concerning these bills, credit must not be given to his current books, in Court; but firmly believing that the abovesaid totally lacks cause for opposition, he, in his dishonor, will not let himself acknowledge that by the examination of the books made by the faculty, Dr. Le Duc has not only merited approval of what

they contain, but also as more amplified by them, that the just bill he has produced for verification and confrontation was executed in accordance with those said books.

It is not in vain that his opponent sets forth that in order to avoid prejudices and expenses that may be caused to both that he proposes to pay Dr. Le Duc what he thinks he should justly claim, but he does not let it be known that the said expenses, as the plaintiff thinks, ought not to be borne by the succession of the deceased, because of Mr. Mercier's fanciful and reckless whim to litigate against justice and reason, therefore he prays His Honor, in view of the potent reasons he has given and the justice due him, to order a writ of executions issued in his favor against any and all of the late Mrs. Plazan-Prevost's estate for the sum of 400 pesos 7 reales owed the plaintiff, its one-tenth and costs, in conformity to the decree on page 14, of which the Executor was notified in the customary way.

In a secondary petition Santiago Le Duc states that according to a bill on page 18, produced by Mr. Mercier, the latter owes the sum of 159 pesos 2 reales, in his own proper person, therefore he prays the Court to order this amount paid within a limited time that will be assigned to him, with a warning that executory proceedings will follow. It is justice he asks as above.

Decree.

Alcalde Forstall decrees that in the principal and secondary petitions, the plaintiff must demand his claim in a separate writing book, as the law requires, and a decree will be rendered.

Second Decree.

Whereas: Let the present Escribano send these proceedings to Licenciado Juan Doroteo del Postigo so that Alcalde Forstall may consult him for a decree that will be legal.

Decree on Postigo's advice.

Whereas: Not finding the first account presented by Santiago Le Duc in conformity to the later one filed, which was examined by the Members of the Faculty, let Juan Bautista Mercier pay, from the late Francisca Plazan's estate, the sum of 350 pesos. Assessor's fees 3 pesos. (Signed) Nicolas Forstall; Licenciado Postigo.

Santiago Le Duc petitions for a taxation of costs.

On June 21, 1785, Santiago Le Duc petitions, saying that in virtue of the debt having been paid by Juan Bautista Mercier, Testamentary Executor and Guardian of Mrs. Plazan's estate, he prays the Court to order a taxation of costs to be paid by the said succession. Alcalde Forstall, on Assessor Postigo's advice, rules: As it is prayed.

Notification of the Official Taxer.

On the said day Luis Lioteau, Official Taxer, was notified and he said he accepted and did accept, and he swore by God and the

Cross, according to law, to proceed well and faithfully with the taxation he was ordered to make, and he signed, to which the Escribano attests. (Signed) Luis Lioteau, before Rafael Perdomo.

Taxation of Costs.

February 12.

**Criminal Proceedings
against Joseph Lacosta, for
having committed a robbery
at the Post of Natchitoches.**

No. 3049. 23 pp.

Court of Governor
Esteban Miro.

Assessor, Juan del Postigo.

Escribano, Fernando
Rodriguez.

This suit, brought against a resident of the Post of Natchitoches for robbery, illustrates the legal procedure involved in handling such cases arising in the distant posts of the Spanish colony of Louisiana. The Commander of the Post investigated the robbery, then forwarded the proceedings to the Governor in New Orleans, who passed sentence upon the accused on the basis of the written evidence transmitted by the Commander of Natchitoches Post.

out removing his fetters, and on arriving in the city to conduct him, without delay, to the Governor's Mansion, to be presented to you.

By Sergeant Jean de Arze's declaration, here enclosed, Your Lordship will be informed that Mr. Devaugine has issued some orders on the 9th of the current month, in a manner entirely foreign to the warrants he claims to have received (on the return of his son), these warrants authorizing him to this effect.

I have the honor to be, with the most profound respect, My dear Governor, Your very humble, very respectful and very obedient servant. (Signed) Borne.

Sergeant de Arze makes his declaration.

Today, the twelfth day of the month of February, of one thousand seven hundred and eighty-five, before Louis Cesar Borne, Captain of Militia, Lieutenant of Infantry of the King's Army,

On June 21, 1785, Luis Lioteau taxes costs at 30 pesos 5½ reales.

The first entry is a letter, written in French, dated Natchitoches, February 12, 1785, addressed to Governor Miro and signed Borne (Louis Cesar), Commander of the Post, ad interim. It reads:

My dear Governor: Although Mr. Devaugine has not informed me, except by a declaration from Sergeant Jean de Arze, of a robbery committed on his plantation by Joseph de Acosta, formerly a corporal of grenadiers of the Fixed Regiment of Louisiana, I have found it indispensable to take cognizance of this affair, so as to maintain good order and to institute proceedings against him, and since this man has been proven to be a criminal, as appears from the testimony, here attached which I send to Your Lordship, I have directed Mr. Philip Frederic, resident of this Post, to take charge and have an eye on him, to treat him carefully and with as much kindness as he can, however with-

Commander, ad interim, of the Post of Natchitoches and its dependencies, has caused to appear Jean de Arze, Sergeant of the Fixed Regiment of Louisiana, attached to this Post, to make a declaration in due form of what he knows concerning Mr. Devaugine's verbal order, and to inform the Commander of what took place on the 9th of the current month. He declared that, as neither Mr. Devaugine nor his family had applied to the Courts in the usual way, he went to the Plantation because Mr. Borne wished to have an arrest made. And that Mr. Borne told the Sergeant to ask Mr. Devaugine whether he had Superior Orders, and to produce them. Mr. Devaugine answered he had nothing to show to anyone, and that is why he did not produce these reserve orders in the presence of Messrs. Roujot and Vaucherres. And having nothing further to state, he ended this declaration, in the presence of Messrs. Francois Calle and Paul Marcollay, assistant witnesses, who also signed with the Commander, to which the latter attests, on the same day and year as above. (Signed) Francois Calle; Paul Marcollay; Borne. Below in Spanish: In proof of this written document. (Signed) Juan de Arze.

[**Note by Translator:**—Bound out of place at the end of the folio and replaced in their proper sequence are the two following entries.—L. L. P.]

Certification of the foregoing declaration, and the arrest of Lacosta.

Whereas: The declaration made to the Commander this twenty-seventh day of the month of January, of one thousand seven hundred and eighty-five, at eight o'clock in the evening, Jean de Arze, Sergeant of the Detachment, on Mr. Devaugine's verbal order, concerning a robbery he said had been committed by Joseph Lacosta, who was his overseer and guardian of his plantation, was immediately given command of two militiamen and a soldier of the Regiment to make the arrest and conduct the said Lacosta to prison, which was done at ten or eleven o'clock in the evening. This certification has been drawn up in the presence of Messrs. Louis Diard and Francois Calle. (Signed) Juan de Arze; Francoise Calle; L. Diard; Borne.

Examination of Joseph de Acosta.

Today, the twenty-eighth day of the month of January, of one thousand seven hundred and eighty-five, at two o'clock in the afternoon, before Louis Ceser Borne, Captain of Militia, Graduated Lieutenant of Infantry in the King's Army, Commander, ad interim, of the Post of Natchitoches and its dependencies, in the presence of Messrs. Louis Diard and Francois Calle, residents of this Post, requisite witnesses, in virtue of Mr. Devaugine's verbal declaration, have caused to appear Joseph Lacosta, detained as a prisoner at this Post, to whom the order was given, in the name of the King, Our Sire, and in justice, to speak the truth in all that he will be questioned, to which he, having answered that

thus he must upon his oath, his soul and his conscience, and in consequence he laid his right hand upon the Holy Crucifix and the following questions were put to him:

Q. From what country does he come, his nation, his religion, his trade, and how long has he been at this Post?

A. He is from the Province of Tehalque, a subject of the Kingdom of Mexico, is a member of the Catholic, Apostolic and Roman Religion, is a laborer by trade, and has been here since October.

Q. With whom did he come to this Post, where has he lodged and in what capacity?

A. He came to this Post last October, engaged by Mr. Vaucherres. He lodged on Mr. Vaugine's plantation, to work and take care of the house.

Q. Did he break into Mr. Devaugine's plantation, and has he stolen several things on the 24th to the 25th of the current month?

A. Yes, he took a demijohn full of rum from the storehouse. After he had gone up into the loft, having taken a drink, he removed some boards and took two wollen blankets, four or five ells of figured linen, five or six ells of linen cloth, and two rolls of tobacco.

Q. Before taking the demijohn, what caused him to commit this robbery?

A. He had drunk a draught on Mr. Devaugine's order, that was given to him by the Negress, Marote; he became drunk, and as he was on the plantation it had caused him to take a demijohn.

Q. Where did he put the articles he had taken?

A. He took everything to his cabin on Mr. Devaugine's plantation, except the cloth, the figured linen, and the two blankets.

Q. Where did he put the two blankets, and the figured linen, or napkins?

A. He took them to the cabin of Mrs. Varangue's Negro, Francois, and her Negress, Fanchon, to take care of them.

Q. Did he have any other persons, either Negroes or whites as accomplices in this robbery, and their names?

A. He was alone and did not have any accomplices with him.

Q. Where did he take the cloth?

A. He took the cloth to the cabin of a Negress belonging to Pierre Derbanne, named Genevieve, to make her a present. The Negress asked him where he had gotten it and he told her he had bought it from one named Bouvier, a merchant.

Q. Did he take any oil?

A. He asked Mr. Nuisement for some oil, and as the latter did not say anything, and seeing this, he had taken a cup, as he had been taking it, and he spilt it on the ground. This oil was for him to eat.

Q. Is this all that he has to answer?

A. This is all, except that Mrs. Varangue knew what he had taken to her Negro's cabin and that she had informed Miss Cilerie, Mr. Devaugine's daughter, so as to restore the articles to him.

The answers to the questions asked him, from number two to number eight, inclusive, were read to him, and he said they contained the truth, which he affirmed, and in testimony whereof he signed with the Commander, on the same day and year as above, the forenamed Messrs. Louis Diard and Francois Calle, assistant witnesses, also signing, to all of which the Commander attests. (Signed) Francois Calle; Joseph de Acosta; L. Diard; Louis Borne.

Testimony of the Negro, Francois.

Today, the twenty-ninth day of the month of January, of one thousand seven hundred and eighty-five, at two o'clock in the afternoon, before Louis Ceser Borne, Captain of Militia, graduated Lieutenant of Infantry of the King's Army, Commander, ad interim, of the Post of Natchitoches and its dependencies, in the presence of Messrs. Louis Diard and Francois Calle, residents of this Post and requisite witnesses, in virtue of the declaration of yesterday, the 28th current, of Joseph Lacosta, detained in the prison of this Post, caused to appear Mrs. Varangue, resident of this Post, her Negro, Francois, and her Negress, Fanchon, to question them, in the presence of their mistress, on the points of Joseph Lacosta's declaration, to whom the order was given, in the name of the King, Our Sire, and in justice, to speak the truth in all that he will be questioned, to which he answered that thus he must upon his oath, his soul and his conscience, and in consequence he laid his right hand upon the Holy Crucifix and the following questions were put to him:

Q. Is he a Christian?

A. Yes, he is a Christian.

Q. Does he know the Spaniard, Joseph Lacosta, who lives on Mr. Devaugine's plantation, and has he been to his cabin often?

A. He knows Joseph Lacosta, and he has gone to his cabin on his way down to the cane fields.

Q. Did Joseph Lacosta take two woolen blankets and some figured linen for napkins to his cabin, and whether he has given them to him to keep, to sell, or as a present?

A. While he was in his cabin, after breakfast, Joseph Lacosta entered to warm himself. He threw a bundle on the floor,

and the Negro (testifying) went, immediately, to inform his mistress, Mrs. Varangue. She came right away, and when she examined the bundle, she found the two blankets and a remnant of about five or six ells for napkins. She threw the bundle outside and had the said two blankets and the remnant of figured linen carried to the house.

Q. Were they any other persons with Lacosta at this time?

A. No.

Q. Did Mr. Lacosta tell him where he had gotten these articles?

A. No.

Q. What has he done with these articles?

A. His mistress sent him to Mr. Devaugine's house to inform him, when she recognized that the effects belonged to him, and Mr. Nuisement, his son, went to get them.

Q. Were these all the effects that Lacosta deposited in his cabin?

A. These were all that he placed in his cabin.

Q. Does he know whether Lacosta had taken effects elsewhere to some other cabin?

A. No.

Q. Did Lacosta sometimes sleep in their cabin?

A. In the beginning, when he first arrived, he slept for three days in his cabin.

Q. Is this all he knows of the affair?

A. This is all.

The answers to the questions, from number nine to number thirteen, inclusive, were read to him, and he said they contained the truth, which he affirmed, and in testimony whereof his mistress, Mrs. Varangue, signed for him, with the Commander and the said assisting witnesses, on the same day and year as above, to which Louis Borne attests.

Mrs. Varangue, not knowing how to sign, made her ordinary mark, in the presence of her husband. (Signed) A Cross as Mrs. Varangue's ordinary mark; L. Diard; Francois Calle; Borne.

Testimony of the Negress, Fanchon.

Today, the twenty-ninth day of January, of one thousand seven hundred and eighty-five, at two o'clock in the afternoon, the Commander says three o'clock, before Louis Ceser Borne, Captain of Militia, Graduated Lieutenant of Infantry of the King's Army, Commander, ad interim, of the Post of Natchitoches and its dependencies, in the presence of Louis Diard and Francois Calle, residents of this Post and requisite witnesses, in virtue of the declaration of yesterday, the 28th current, of Joseph Lacosta who is held a prisoner at this Post, caused to

appear Mrs. Varangue, in the presence of her husband, also a resident of this Post, and her Negress, Fanchon, to be questioned before her mistress, on the points of Lacosta's declaration, and to whom the order was given, in the name of the King, Our Sire, and justice, to speak the truth in all that she will be questioned, to which she, having answered that thus she must upon her oath, her soul and her conscience, and in consequence she laid her right hand upon the Holy Crucifix and the following questions were put to her:

Q. Is she a Christian?

A. Yes.

Q. Does she know the Spaniard, Joseph Lacosta?

A. Yes, she knows him.

Q. Was he in her cabin often and did he ever sleep there?

A. In the beginning, after the said Lacosta arrived, he slept in her cabin once.

Q. Did Lacosta take two woolen blankets and some figured linen for napkins to her cabin, and did he give them to her to keep for him, or to sell?

A. She went to her cabin to breakfast, and one of her children was there with her little mistress, Miss Mariquette, and the Spaniard, who warmed himself. She, Fanchon, asked her child what this Spaniard was doing there. Her child answered he had come from down below. The abovesaid Negress told Lacosta to go outside, as she wished to close the door of her cabin. She then saw a bundle he had left there; then her husband, Francois, went immediately to inform her mistress, who took the two blankets and the linen and carried them to her house.

Q. Were there any other persons with Lacosta at that time?

A. No, he was alone.

Q. Did Lacosta tell her where he had gotten these effects?

A. Lacosta told her he had come up from below Pierre Derbanne's plantation.

Q. Were these all the effects that Lacosta deposited in her cabin?

A. These were all.

Q. Does she know whether Lacosta carried any other effects elsewhere to other cabins?

A. No.

Q. Is this all she knows of the affair?

A. This is all she knows of the affair.

The answers to the questions asked her, from number fourteen to number nineteen, inclusive, were read to her, and she said they contained the truth, which she affirmed, in the presence of her mistress, Mrs. Varangue, and her husband. The former signed

with the Commander, the same day and year as above, the witnesses also signing. (Signed) Francois Calle; a Corss, the ordinary mark of Mrs. Varangue; L. Diard; Borne.

Testimony of the Negress, Genevieve.

Today, the thirty-first day of the month of January, one thousand seven hundred and eighty-five, at nine o'clock in the morning, before Louis Ceser Borne, Captain of Militia, Graduated Lieutenant of Infantry of the King's Army, Commander, ad interim, of the Post of Natchitoches and its dependencies, in the presence of the assisting witnesses, in virtue of the declaration made by Joseph Lacosta, detained as a prisoner at this Post, appeared Pierre Derbanne and his Negress, Genevieve, to be questioned, in the presence of her master, upon the points of Lacosta's declaration, to whom the order was given, in the name of the King, Our Sire, and justice, to speak the truth in all that she will be questioned, to which she answered that thus she must upon her oath, her soul and her conscience, and in consequence she laid her right hand upon the Holy Crucifix and the following questions were put to her:

Q. Is she a Christian?

A. Yes.

Q. Does she know the Spaniard, Lacosta?

A. Yes, she knows him because she had an affair with him.

Q. Did Joseph Lacosta take some linen cloth to her cabin?

A. Yes, he brought it to her for her to make a petticoat and a chemise for herself, and a blanket, also for herself, as a pure gift.

Q. Were there any other persons with him at that time?

A. No.

Q. Did Lacosta say where he had gotten these articles?

A. He did not say anything at all about the matter.

Q. What did she do with these articles?

A. Mr. Nuisement, Mr. Devaugine's son, has taken them, except the blanket which belongs to Mr. Lacosta.

Q. Does she know whether he has taken anything elsewhere, or to another cabin:

A. No, she knows nothing of this.

Q. Has she ever received any cottonade from Mr. Lacosta?

A. No.

Q. Has she ever received any gingham?

A. No.

Q. Has she ever received any linen ticking?

A. No.

Q. Has she ever received any salt meat?

A. No.

Q. Are these all the effects Lacosta deposited in her cabin?

A. Yes, these are all the effects.

The answers to the questions, from number twenty up to number twenty-four, inclusive, were read to her, and she said they contained the truth, which she affirmed, in the presence of her master, Pierre Derbanne, who signed for her with the Commander, the same day and year as above, together with the assistant witnesses, to which Louis Ceser Borne attests. Mr. Derbanne did not sign, but made his ordinary Cross mark. (Signed) L. Diard; Pierre Derbanne's Cross mark; Francois Calle; Borne.

Joseph Lacosta testifies a second time.

Today, the first of the month of February, of one thousand seven hundred and eighty-five, at two o'clock in the afternoon, before Louis Ceser Borne, Captain of Militia, Graduated Lieutenant of Infantry of the King's Army, Commander, ad interim, of the Post of Natchitoches and its dependencies, in the presence of Louis Diard and Francois Calle, residents of this Post, assistant witnesses, caused Joseph Lacosta, prisoner, to appear, to be questioned for a second time, to whom the order was given, in the name of the King, Our Sire, and Justice, to speak the truth upon all that he will be questioned, to which he answered that thus he must upon his oath, his soul, and his conscience, and in consequence the following questions were put to him:

Q. What has he done with the demijohn of rum; with whom has he drunk it?

A. He was alone with the demijohn of rum. He left it in the cabin of Mr. Devaugine's Negro, who took it and returned it to Mr. Devaugine. All the rum he took was one drink that he drew for himself.

Q. Who was with him when he went up into the loft of the storehouse, and where has he taken these effects?

A. The loft was open, and there were some boards there that served as a ladder, by means of which he descended. He was alone.

Q. Did he take some cottonade?

A. He has never taken any cottonade.

Q. Did he take some gingham?

A. No.

Q. Does he know who took the linen ticking and the salt meat?

A. No, except for three or four pieces of meat that he took from the kitchen, for his nourishment.

Q. Has he ever taken these effects to another cabin, or elsewhere?

A. He has never taken these effects anywhere else, except to the two cabins already mentioned.

Q. Was the loft open, as he has said?

A. Yes, he found it open. It had been open from before the time they said he had stolen the tobacco and other things, and they never were able to find out the persons who had opened it.

Q. Has Mr. Devaugine had all his stolen effects returned, and what has he done with them?

A. Mr. Devaugine has received all the effects he stole from him.

Q. Did he give Pierre Derbanne's Negress, Genevieve, the linen cloth to make a chemise and a petticoat, as a pure gift?

A. He gave it to her as a pure gift, and also the blanket which belonged to him.

The answers to the questions asked him, from number twenty-five to twenty-eight, inclusive, were read to him, and he said they contained the truth, which he affirmed, in the presence of the assisting witnesses, who signed with the Commander, on the day and year as above. (Signed) Joseph Lacosta; L. Diard; Francois Calle; Borne.

Commander Borne calls on Mr. Devaugine for a statement of his losses. Louis Borne, Lieutenant of Infantry of the King's Army, Captain of Militia and Commander, ad interim, of the Post of Natchitoches, wishing to close the proceedings instituted by him, against Joseph Lacosta, on the written declaration made by Sergeant de Arze, for Mr. Devaugine's part, that the said Lacosta had broken into his plantation and stolen several articles, without making a formal demand, or presenting a note of what had been taken, or what had been returned to him. In consequence the Commander notified Mr. Devaugine that within a space of three days, the said Joseph Lacosta will leave for New Orleans, to be judged according to the requirements of the case, by the Superior Court, and that it is absolutely necessary for him to draw up a statement for the Commander, giving the particulars of all the effects that have been taken from him, and he must also declare the things that have been returned, so that an inventory may be made and attached to these proceedings. Natchitoches, February 3, 1785. (Signed) Borne.

Mr. Devaugine's statement.

A statement of the effects that have been restored to Mr. Devaugine, proceeding from the robbery committed by Joseph Lacosta.

Namely: That on the 24th to the 25th of last January, he was immediately informed that someone had broken open his storehouse, and he sent his son, Nuisement, Vaucherés Jr., Jean, employed by Vaucherés, and Maillad, his overseer, at once, who after making an examination, found the planks raised at the top of his storehouse. They went to Acosta's cabin right away, where they found a demijohn full of rum, stolen from Mr. Devaugine's cellar, under the bed, two rolls of tobacco that were hidden, and an earthen pan full of bear grease.

On the 26th, the same month, Joseph Dupré, called Varangue, informed him that his Negress, Fanchon, had brought him a bundle, deposited in her cabin by the said Acosta, containing two white double blankets, each one measuring two and a half yards, and a remnant of four and a half ells of figured linen, one ell wide, for tablecloths (napkins ?), and the same day, from Pierre Derbanne's house, a remnant of linen cloth, two ells long, and a petticoat of the same, from a Negress, who declared she had received it from Acosta. This is all that has been restored to Mr. Devaugine and at the proper time and place he will make an exact statement of all that was stolen from him, which was considerable, according to the report that has been made to him. At Fort Royal, in Natchitoches, February 3, 1785. (Signed) Vaugine.

Decree.

In the lawsuit and criminal cause that has pended, officially, before the Commander of the Post of Natchitoches for Royal Justice against Joseph de Acosta, for having stolen a certain quantity of provisions and other things, as stated in these proceedings. Whereas: Attentive to the records and merits of this cause, to which he refers, when necessary, that for the crime that has been proven against the abovesaid, he must condemn and does condemn him to four years in the penitentiary of this place, and that he must not break his time of service, because for a violation of it he will have to serve an additional sentence for the same length of time in the galleys, for this is his judgment, definitively pronounced, thus it is rendered, ordered and signed. (Signed) Estevan Miro; Licenciado Juan del Postigo.

Certification of the above sentence.

The foregoing sentence was given and pronounced by Estevan Miro, Colonel of the Fixed Regiment of Infantry of this Place and Governor of it and its Province, which he signed with Juan del Postigo, Auditor of War and Assessor General, in New Orleans, the seventeenth of March, of the year one thousand seven hundred and eighty-five, in Public Audience, the witness being Luis Lioteau, Miguel de San Juan Gomez and Santiago Guinault, of this city, here present. (Signed) Fernando Rodriguez.

February 14.

**Juan Jordan vs. the
Negress, Benus.**

No. 3045. 13 pp.

Court of Alcalde
Nicolas Forstall.

Assessor, Juan del Postigo.

Bautista Jordan (Jourdain) petitions, saying it is evident from the public written document (executed before a Notary) that he served as bondsman for the Negress, Benus (Venus), the term of which is now completed, but the said Negress has not fulfilled her obligation because she has no funds to meet it, therefore he prays the Court to be permitted

Escribano,
Fernando Rodriguez.

To collect a debt.

This suit to collect a debt secured by a mortgage on two slaves has no unusual features. When the obligation was not paid when due, the creditor sued for a Writ of Execution; but before the said Writ was served, the litigants compromised their case and ended the proceedings.

to contest his claim, and to protect himself against any concealment of property, to place her Negress and little Negro boy in prison. In the interim he will present his case in proper form. Alcalde Forstall, on Assessor Postigo's advice, rules: Let the plaintiff produce a copy of the written act of bond.

Certified copy of the Notarial Act of Bond.

Maria Luisa, a free Negress, specifies that she really owes Luis (Bautista) Jordan the sum of 561

pesos 3 reales, current money, which is the same that he supplied and lent her, in ready cash, for her benefit and use. This money is now in her possession, therefore she acknowledges to have received it to her entire satisfaction, and because the Escribano was not present at the delivery, she renounces the exception of non numerata pecunia and proof of same and grants a receipt in due form to Luis Jordan, and she obligates herself to pay this amount to him, or to whoever will legally represent him, at the end of two months, which will begin to be counted from this day, the sixth of the current month, and will be concluded on the same day in December of this year. She promises to pay this debt promptly and simply, without a lawsuit, asking for an extension of time, or other terms, at the date of maturity, or any penalty for the execution and costs for collection, and in order to fulfill her agreement in due form of law, she obligates her present and future estate and furthermore mortgages a Negress and a little Negro boy, her slaves, the former named Margarita, aged 20 years, untrained, African born, bought from Miguel Fortier, by written act executed by Fernando Rodriguez, two months ago, and the latter, called Gaspar, six years old, a Creole negro of this Province, purchased from Mrs. Cantrell three years ago by Notarial Act passed before Leonardo Mazange, late Escribano, with the condition not to alienate, and she gives the power to the Justices of His Majesty, so that they may compel her to fulfill it with the rigor of a sentence consented to and passed with the authority of a thing adjudged, and she renounces her own exemptions and the law *sit cumbenerit de iurisdiccione omniun yudicum* and all other laws and privileges in her favor and defense, with the general in the form that prohibits it. In testimony whereof, dated in New Orleans, on the 18th of October, 1784. The Escribano attests that he knows the grantor, who did not sign because she said she did not know how, and at her request it was done for her by one of the witnesses, who were Manuel Galvez and Manuel Monrroy, her present, as witnesses. (Signed) In the original, by the two above witnesses and Rafael Perdomo, Notary Public.

Certification.

Rafael Perdomo certifies that he gives this copy, corrected with the original, to which he refers, on six sheets of common paper. New Orleans, February 16, 1785. Cross and Flourish. (Signed) Rafael Perdomo.

Bautista Jourdain petitions for a Writ of Execution.

Bautista Jordan, in the suit he has brought against the Negress, Venus, because he acted as her bondsman for certain merchandise she bought in a shop, amounting to 561 pesos 3 reales, for the payment of which sum she obligated herself, before a Notary, whose act he duly presents, wherein it is shown that the date of maturity has passed, and she has not yet satisfied this debt, therefore he prays the Court to order a Writ of Execution issued against her person and estate, and especially against the mortgaged property, up to its effective payment.

Decree.

In the city of New Orleans, on the seventeenth of February, of the year one thousand seven hundred and eighty-five, Nicolas Forstall, Regidor Perpetuo-Alferez Real and Alcalde Ordinario for His Majesty for this city and its jurisdiction, having examined these proceedings, said that he must order and does order a Writ of Execution issued against the person and property of Maria Luisa, a free Negress, for the sum of 561 pesos 3 reales, its one-tenth and costs, caused, or that may be caused, up to the real and effective payment, for this is his decree, thus he has ordered and signed. Fees 2 pesos. (Signed) Nicolas Forstall; Licenciado Postigo. Before Fernando Rodriguez.

Marginal Note.

A marginal note specifies that the Writ which was ordered has been issued, as attested to by the Escribano. (Signed) Rodriguez.

The Writ.

Let the Sheriff of this city, or in his place the Deputy Sheriff, request Venus, a free Negress, to pay Juan Jordan, immediately, the sum of 561 pesos (3 reales) that it is evident she owes, according to a public written act, and if she does not pay at once, take execution, in the customary way, against all or any of her property, sufficient to satisfy the sum, its one-tenth and costs, as by decree rendered this day, thus has the Alcalde ordered. New Orleans, February 17, 1785. (Signed) Forstall. By Order of His Honor. (Signed) Fernando Rodriguez, Clerk of the Court.

The litigants compromise their case.

Bautista Jordan and Maria Luisa Venus, a free Negress, both residents of this city, say that they have a lawsuit pending in this Court for the collection of a debt, for which purpose a Writ of Execution was issued against the defendant, whereby she was

ordered to pay the plaintiff, at once; they now pray the Court to declare the said suit as cancelled, null and void, the said Venus obligating herself to pay all costs.

Decree.

With the consent of the parties, this suit is declared cancelled, null and void. Let the costs be taxed and paid by Venus. (Signed) Forstall.

Taxation of Costs.

On February 22, 1785, Fernando Rodriguez taxes costs at 8

pesos 7 reales.

Receipt.

Enclosed, on a detached sheet of paper, is a receipt, reading: Received from Mr. Payfforeso (Poeyfarre?) sixteen piastres that have been paid to me for the Negress, Venus, namely: Eleven piastres for the costs of the proceedings entered by Mr. Jourdain against her and five piastres for the quittance for cancelling the mortgage on the Negress and little Negro boy, in virtue of the act passed by Mr. Perdomo and the same that has been executed in favor of my said Mr. Paufforeso for the said Negress, for which I receipt. New Orleans, February 22, 1785. (Signed) Rodríguez.

(To be continued.)